DOCUMENT RESUME

ED 097 289 SO 007 871

| | |
|---|---|
| TITLE | Self-Study Guide to Sexism in Schools. |
| INSTITUTION | Pennsylvanians for Womens Rights, Harrisburg, Pa.; Pennsylvania State Dept. of Education, Harrisburg. |
| PUB DATE | 74 |
| NOTE | 60p. |
| EDRS PRICE | MF-$0.75 HC-$3.15 PLUS POSTAGE |
| DESCRIPTORS | Administrative Principles; Counseling Effectiveness; Curriculum Evaluation; *Educational Practice; *Equal Education; *Evaluation Criteria; Guidance Counseling; Guidelines; Instructional Materials; Media Selection; *Nondiscriminatory Education; Personnel Policy; *Sex Discrimination; Sex Stereotypes; Textbook Evaluation |

ABSTRACT

This booklet provides guidelines for determining sexist practices in various aspects of school life: curriculum, instructional materials, the library, the staff guidance and counseling, admissions, extra-curricular activities, and school environment. Sections on each of these aspects contain a discussion of the impact of sexists practices. Then, important elements to be looked for in each aspect of school life, such as vocational preference tests that do not key by male and female, are suggested to help organize evaluation. Most sections also include a list of additional resource materials. Some include a checklist of materials or processes to facilitate evaluation A section on the legal basis for eliminating sexism in schools, a chart of federal laws, concerning sex discrimination in educational institutions, information on similar legislation in Pennsylvania, as well as memoranda and directives from the Pennsylvania State Executive to implement the laws conclude the booklet. (JH)

ED 097289

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

# SELF-STUDY GUIDE to SEXISM in SCHOOLS

Materials for this document were originated and prepared by the Education Committee of Pennsylvanians for Womens Rights.

Permission is granted to reprint this material. Acknowledgement should be to Pennsylvanians for Womens Rights and the Pennsylvania Department of Education.

1974

SP 007 871

Commonwealth of Pennsylvania
Milton J. Shapp, Governor

Department of Education
John C. Pittenger, Secretary
David W. Hornbeck, Executive Deputy Secretary

Office of Basic Education
Donald M. Carroll, Jr., Commissioner
Harry K. Gerlach, Deputy Commissioner

Office of Higher Education
Jerome M. Ziegler, Commissioner
Warren E. Ringler, Deputy Commissioner

**Pennsylvania Department of Education**
**Box 911**
**Harrisburg, Pa. 17126**

CONTENTS


| | | |
|---|---|---|
| | PREFACE | |
| I. | INTRODUCTION | 1 |
| II. | CURRICULUM | 7 |
| III. | INSTRUCTIONAL MATERIALS | 11 |
| IV. | LIBRARIES | 19 |
| V. | STAFFING | 23 |
| VI. | GUIDANCE AND COUNSELING | 31 |
| VII. | ADMISSIONS | 35 |
| VIII. | EXTRA-CURRICULAR ACTIVITIES | 37 |
| IX. | THE SCHOOL ENVIRONMENT | 39 |
| X. | THE LEGAL BASIS | 41 |
| | EXHIBITS | 43 |

# I. INTRODUCTION

## What is Sexism?

Sexism is both an attitude and a way of behaving. It consists of arbitrarily assigning certain traits, abilities and expectations to people solely on the basis of their sex, regardless of their attributes as individual people. In that, it is very much like other forms of discrimination, racism, for example.

## How is it Harmful?

One of the ironies of sexism is that it frequently flies in the face of personal experience. For example, some people would assert that, *"Girls are quieter than boys - less rowdy"* - even though most of us (and especially the parents of daughters! ) know that girls can be every bit as rough-and-tough as boys.

The danger of this kind of discrepancy is that we tend to develop expectations in terms of our stereotypes. The statement becomes *"Little girls* should *be quiet - less rowdy."* or *"Boys like mechanical things; girls like to cook and sew,"* or *"Why should a woman want to study civil engineering?"* When enough of us begin to make this kind of statement, the generalization takes on the force of a social dictum - whether it actually fits the individual members of the group involved or not.

This is where the harm occurs, and it is exactly the kind of harm which is done any time we begin to operate on the basis of stereotypes rather than individual people. Consciously or unconsciously, through overt actions or through the creation of unfriendly atmospheres, we begin to channel the options of the described group to fit our generalization.

One of the clearest examples of this kind of restriction is the format for some occupational preference tests administered to students. Many times, the kinds of career choices on which students can be scored are separated by sex. In other words, a female cannot be scored as an engineer, a scientist, or other occupations which the test-makers felt inappropriate for women. Similarly, males sometimes cannot be scored as nurses or social workers - regardless of the interests they evidence. To the extent that such tests affect expectations and later choices, they have arbitrarily limited the options of students solely on the basis of sex.

## What Can Schools Do?

It is a mistake to assume that schools can handle the whole job of correcting this - or any other - social inequity. Nevertheless, schools have a powerful impact on the development of students' self-images and self-expectations as well as their attitudes toward others. It was no accident that when, in 1965, the State Board of Education adopted the Ten Goals of Quality Education for Pennsylvania schools, they included goals like:

I. Help every child acquire the greatest possible understanding of himself or herself and appreciation of his or her worthiness as a member of society.

and:

II. Help every child acquire understanding and appreciation of persons belonging to other social, cultural and ethnic groups.

VIII. Help every child understand the opportunities open to him or her to prepare for a productive life and help each child to take full advantage of these opportunities.

What schools can do, then, is to strive for the accomplishment of these goals by ensuring that, at least for the period when a person is in school, she or he is treated as a *person* rather than as a *female* or a *male*.

To do so is very much in line with the philosophy, which all of the Commonwealth's schools share, of personalizing and humanizing the learning process. It is only one more facet of the kind of educational concern which leads schools to provide different kinds of curricula to meet differing student ambitions and different extracurricular activities to meet differing student interests.

How Can This Guide Help?

The material in this *Guide* is divided according to the main areas of school life: curriculum, instructional materials, the library, the staff, and so on. Because such divisions are artificial, a section entitled *"The School Environment"*, which attempts to focus on the interaction of factors, is also included.

Each section follows a format designed to make the information useful and *useable*. First, the area is defined and its impact on sexism discussed. There follow some suggestions on how to organize to study and evaluate that aspect of school life, and a considerable amount of detailed information on what to look for in your study. Finally, most chapters include a list of additional resource materials.

Any evaluation process is enhanced by the presence of a variety of skills and points of view. Consequently, a study committee on sexism should ideally have membership reflective of a cross-section of interests, such as the following representation:

- The School Board
- The Administration
- The Teaching Staff
- The Supportive Services Staff
- Parents
- Students
- The Community

or

- The Board of Trustees
- The Administration
- The Faculty
- The Counseling Staff
- The Library Staff
- Students
- Graduates

Unfortunately, it is not always possible to achieve ideal representation, just as, in the press of its many activities, it is not always possible for the school to take the initiative in a self-study of sexism. Neither circumstance should deter the effort, however. It is quite possible to maintain a reasonably fluid membership by involving various groups on an ad hoc basis whenever they can participate and by keeping everyone well-informed on the study's progress. This approach has the advantage of permitting active involvement by the school without requiring, in the early stages, an exorbitant time commitment.

In addition, this manual purposely highlights the role and usefulness of the Pennsylvania Department of Education. PDE has repeatedly affirmed its commitment to ending sexism; it stands ready to assist in whatever way possible.

Depending upon the most immediate concerns of any given group of people, the study committee might choose either to concentrate on only a few sections of the *Guide* or try to examine all areas, either as a whole committee or in subgroups. Whichever is the case, it is important that information gathered through the evaluation process be shared - certainly with all members of the school district, college or university community. Pennsylvanians for Women's Rights (230 West Chestnut Street, Lancaster, Pennsylvania) and the Department of Education are also interested in self-study findings. In the Department of Education, equal educational opportunity is the responsibility of:

Jeanne Brooker, Director
Office of Equal Rights
Basic Education
Pennsylvania Department of Education
Box 911
Harrisburg, Pa. 17126

and

Conrad Jones, Director
Office of Equal Opportunity
Higher Education
Pennsylvania Department of Education
Box 911
Harrisburg, Pa. 17126

The Department of Education would like to maintain an information clearinghouse on local projects to eliminate sexism. Attached is a form for that purpose.

To simplify processing, please type all information and confine your comments to one side of the page.

This information will be kept on file in the Department of Education for the reference use of other Pennsylvanians.

Return to: Office of Equal Rights (Basic Education) or Office of Equal Opportunity (Higher Education) Pennsylvania Department of Education.

INFORMATION CLEARINGHOUSE ON SEXISM IN EDUCATION

Date: _____

Project Title: _____

Status of Project: Completed _____ In Progress _____

School: _____

School District/Address _____

_____

_____

Community Contact (including organizational affiliation, if any):

_____

_____

_____

School Contact:

_____

_____

_____

Brief Description of Project:

## II. CURRICULUM

Simply put, the curriculum is the school's *content* - what it officially intends to teach. Depending on the point of view, that can refer to grade levels (the 3rd grade, or the Sophomore year), individual classes (senior Theme Writing or Ethical Issues in Religion) or broad programs of study (Vocational, Fine Arts, Engineering). In fact, it is all of these.

Curriculum has a number of direct ramifications for equal educational opportunity. First, in as much as the curriculum is a reflection of what is considered by the institution to be most worth knowing, exclusion of material indicates that, on a relative basis, it is judged to be insignificant. Thus, the failure of courses in contemporary American literature to include the work of Sylvia Plath, Kate Chopin, Flannery O'Connor or Anne Sexton is a reflection of the school's judgment that these people are not worth knowing about. The importance of including this type of content has been recognized by the State Board of Education in amendments to its curriculum regulations in (See Chapter X).

Second, the curriculum defines the knowledge which the school will put its full resources to helping the student acquire. Information and/or skills *not* included in the curriculum must be obtained independently - and to that extent are more difficult to come by. Few American history courses include serious discussion of the Women's Suffrage Movement, and it may be purely luck that leads a student to Flexner's *Century of Struggle*. Similarly, we often have to learn the hard way that media advertising sometimes attempts to use sex stereotyping to manipulate our buying habits.

Finally, the way the curriculum is structured has powerful implications for its accessibility to students.* It is not uncommon for certain parts of the curriculum to be available only to certian groups of students. This type of structuring may be formal (e.g., *"Shop is only open to boys")* or informal (*"You can't schedule both 'Classics' and 'Voice,'"* or *"Why would a boy want to take 'Stenography'?"*

The relevance of curriculum issues to the elimination of sexism, then, can be stated fairly simply: It is important that what is offered, and whom it is offered to, reflect a respect for the achievements, problems, and individual abilities of members of both sexes.

* * *

Analyzing a curriculum is a large and varied undertaking. The following suggestions may add some organization to the task.

1. Examine both the procedure and the criteria for making curriculum decisions. The procedure may be formal or informal, and may be different for *classes* than for broader programs of study. This information may be helpful not only in clarifying present curricular concerns, but also in strengthening them for future decisions.

2. Examine the flexibility of the curriculum. Are there options for *mini* courses and *courses on request?* Is course content closely tied to textbook selection? Can new programs of study be added fairly easily? Is the school's curriculum regulated by any outside agencies? Answers to questions such as these will provide an early indication of potential for change.

---

* This issue is also relevant to guidance and counseling and admissions practices and is discussed further in those sections of this manual.

3. Decide what level of curriculum, or what kinds of curriculum issues, should be addressed first. This could mean individual course content or broader programs of study, or it could mean the way the total curriculum is structured and who has access to what parts of it.

4. Obtain a copy of the school's written description of the curriculum. For colleges and universities, this will be the official catalogue.

5. Examine the budget (on file in the office of the school board) to ascertain the school's curriculum priorities.

* * *

Because curriculum covers such a large area, a complete checklist for each aspect cannot be included here. However, following is a general list of statements which would be true of a nonsexist curriculum:

1. Courses include content by and about women. (Use the textbook checklist as an initial guide. Also examine the course syllabus and the list of guest teachers.)

2. Problems associated with sex roles and stereotyping are discussed in appropriate courses (for example: psychology, political science, law, literature, history, courses dealing with consumerism, sociology economics and biology).

3. Students are not excluded from courses or programs of study because of sex.

4. Course titles do not employ the generic man or male pronoun.

Within these broad contours, however, there are some issues that deserve further elaboration.

*Physical Education.* This is probably the most controversial area of curriculum as far as the elimination of sexism is concerned, with one side calling for complete sex-integration of physical education programs, and the other side asserting that that would mean coed locker rooms. In truth, integrated physical education is not so difficult a matter, particularly if it is accompanied by the educationally sound shift away from highly competitive interscholastic sports (from which only a few students benefit) to intramural programs and lifetime sports (that is, programs aimed at general good health and lifetime participation). And since the right to privacy is not at issue, locker rooms can remain separate.

It is important that both sexes have equal:

- access to equipment, practice fields and gymnasiums.
- funding.
- variety in activities.
- staffing (at equal salaries).

In addition, the school should attach equal status to athletic programs for both sexes.

*Elementary Programs and Activities.* Most early grades are not divided into *courses*, and so an analysis of curriculum must find another focus. One concern should be the division of students for activities within classes: Boys and girls should both be encouraged to play with all types of toys, investigate all types of occupations, lead discussions equally, and so on. Neither should the physical arrangement of the classroom suggest sex stereotypes, that is, the dolls, irons, and dishes should not be clustered at one end, and the trucks, hammers and blocks at the other end.

Developmental programs for very young children should also be carefully examined. On the theory of compensating for differing rates of motor skill development, educators sometimes separate boys and girls, even though learning differences may not follow such neat lines. Intensive indoctrination in traditional sex roles is often a part of this type of sex segragated activity.

*Industrial Arts/Home Economics.* While state curriculum regulations require a course in either industrial arts or home economics, they do not specify that boys shall take the former or girls the latter. There is no justification for determining enrollment in these courses on the basis of sex. However, two problems sometimes occur in the process of removing sex stereotypes from these courses: a) boys are encouraged to take home economics, but girls do not receive equal encouragement to enroll in industrial arts, or b) girls are permitted to enter some, but not all, industrial arts course. Neither situation should be tolerated.

*Secretarial Courses.* These courses should be open to members of both sexes. Courses should be analyzed for sex stereotyped content and practices.

*Women's Studies.* Women, their accomplishments and their problems, should be included in all courses. *In addition,* women's studies constitutes a rich, legitimate, and long-neglected academic discipline in and of itself. Where they are added as a separate program of study, these courses should be for full credit. Where other types of *studies* programs are available as majors, women's studies should be available also.

*Mini Courses.* Remember that these can provide other interim possibilities for intergrating the achievements of women into the curriculum.

* * *

Additional resources include:

*Female Studies* (Issued three times a year, this guide to women's studies courses and programs and numerous other curriculum materials is available from the Clearinghouse on Women's Studies, SUNY / College at Old Westbury, Old Westbury, NY 11568.)

"Sexism Resources Units," Penn Hills School District, Pittsburgh, Pa. (This compendium of resources related to sexism in the curriculum was developed locally. Information is available from Director of Curriculum Development, Penn Hills School District, 12200 Garland Drive, Pittsburgh, Pa. 15235.)

Trecker, Janice Law. "Woman's Place is in the Curriculum," *Saturday Review,* 92 (October 16, 1971), 83-86. (This article discusses books used in current women's studies courses on the college level.)

*Women's Studies: An Interdisciplinary Journal,* Department of English, Queens College, University of New York. (Edited by Wendy Martin, this is a journal of scholarship and criticism about women in the field of literature, history, art, sociology, psychology, political science, economics, anthropology, law, and the sciences. Subscription: $6/year.)

## III. INSTRUCTIONAL MATERIALS

In the Introduction to this manual, we noted the role of the school in the development of students' self-images and attitudes toward others. This influence is felt especially in the school's instructional materials; the books, films, tapes, records and television programming used in classrooms. What we see, hear and read about people in school is in large part what we acknowledge to be true.

The power of instructional materials to shape attitudes is particularly strong and direct in the early and middle grades, when they constitute much of the student's information about the world. But the influence is still there in high school and in college. As is the case with the curriculum, the material contained in textbooks represents–at least by inference–both the kind of learning and the particular content that has the institutional stamp of approval. By consequence, it is again the knowledge that is easiest for a student to acquire. Moreover, it is not unfair to assert that textbooks sometimes determine curriculum, and that what is covered in the text ends up being what the school in fact teaches.

The direct implication is that it is critically important for the materials used in schools to foster a sense of personal worth and dignity and a respect for the abilities and rights of *all* people–of all races, of all ethnic backgrounds, and of both sexes.

An examination of instructional materials is convenient because it provides a project with a clear and tangible focus. It may be helpful to follow these steps:

1. Examine both the procedure and the criteria for selecting new instructional materials. A lot of time and energy can be saved later if the consideration of sexism is made a part of initial textbook selection.

2. Take some time at the outset to consider alternatives should the examination discover sexist materials. How soon could such materials reasonably be discontinued? What could be done in the meantime to offset their influence?*

3. Begin by evaluating only selected materials, preferably those in widest use or those about to be adopted.

* * *

Sexism in learning materials may take many forms and, because most of us have always used textbooks that sex stereotyped men and women, it may at first be difficult to identify. In general, a book (film, tape, etc) about which any of the following is true is sex-biased:

1. Personality traits, aspirations, abilities, vocations are identified with sex.

2. *Most* women (girls) are characterized as weak, passive, irrational, fearful, self-effacing, artistic, untrustworthy, devoted, domestic.

3. *Most* men (boys) are characterized as strong, competitive, assertive, objective, practical, independent. They work outside of the home.

4. Little space and/or serious attention is given to women's accomplishments *in a wide variety of fields*.

*One alternative exists in the school library and is discussed in that section of this document.

It is worth pausing to emphasize the word *most*: The goal is not to portray all women as bold and aggressive, or all men as timid and self-effacing. The important point is that such traits should not be associated with sex at all. Some *people* are bold while other *people* are timid. Instructional materials should not show a pattern of linking such individual characteristics with groups defined on the basis of sex.

* * *

At the end of this section is a checklist for analyzing instructional materials. This particular list is designed for elementary readers. However, since the general concepts apply to all kinds of instructional materials, it can readily be adapted to suit any curricular area at any educational level. The following additional criteria may be helpful in making adaptations. These are traits of *non*sexist materials:

PICTURE BOOKS –

1. The female figure is shown to be equally as competent as the male figure.
2. The female figure is shown as frequently as the male figure.
3. The female and male figures engage equally in activities. Examples: *"All the children ran," "All the children washed the dishes."*
4. Females are shown in a variety of occupations.
5. Stereotypes of family roles are avoided. Examples: The mother sometimes works outside of the home, while the father works in the home.
6. Female figures are proud and happy to be females.
7. Male figures are shown with emotions appropriate to the situation. Example: Fathers show tenderness toward children.

LANGUAGE ARTS –

*Readers:*

1. Girls are depicted as often as boys, women as often as men.
2. Females' roles are as varied as males' roles.
3. Females face and solve their own problems.
4. Females' accompliishments, not their clothing or features, are emphasized.
5. Derogatory references (*tomboy, sissy, old maid*) are omitted.
6. Biographies of women (beyond mere tokenism) are included.

*Anthologies:*

1. Selections by and about women are included.
2. Biographical headnotes on authors do not imply that women write *intuitively* while men are *conscious artists.*
3. Background materials discuss the position of women in the society of the era, attitudes toward women writers, and the social, political, and economic implications of literary conventions regarding women.

*Language Texts:*

1. Stereotyping (such as associating women with the kitchen and men with business) is avoided in introducing vocabulary units.
2. Assumptions about women inherent in the language are discussed. Example: *masculine* and *feminine.*
3. Constant listing of the feminine pronoun in a secondary position (such as *he and she* and *he, she, it*) is avoided. (An alternative is to list them alphabetically: he/she, her/his.)

SOCIAL STUDIES –

*History*

1. The roles of women are treated equally with the roles of men. They are given equal attention and equal importance is attached to them.

2. Women are depicted in a variety of roles.
3. Women in nonstereotyped roles (such as politician and labor leader) are treated sympathetically and seriously, not as laughable oddities.
4. The women's movement is discussed as a serious and continuing struggle, not one that ended with the right to vote.
5. Subsuming terminology (such as *"the pioneers and their wives"* and *"the settlers and their wives and children"*) which suggests that women were not pioneers and settlers is avoided.
6. The exclusive use of *man* or *men* or *mankind* for *people* is avoided.

*Sociology and Psychology:*

1. The process of social conditioning is described in such a way as to make it clear that *masculine* and *feminine* are socially defined concepts that vary from culture to culture.
2. Non-freudian studies of female psychology by feminist psychologists and psychiatrists are included.
3. Courses and units on marriage and the family should be expanded to present a variety of lifestyles (such as single adult living).
4. Courses and units on human development stress individual growth, not adjustment to a statistical norm.
5. Divorce, illegitimacy, juvenile delinquency and prostitution are treated as problems of the whole society. It is not suggested that these are problems created or increased by the emancipation of women.
6. The text indicates that a division of labor based on physical differences ceases to be essential in an automated, mechanized society.

*Economics:*

1. Information on women in the labor market is included.
2. The problem of sex discrimination is discussed.
3. The subject of women and property laws, and the effect of marriage on a woman's property rights, is discussed.
4. Woman is examined as a consumer, including methods of manipulation by the media.
5. The positions of women under different economic systems are examined.
6. Sex stereotyping (such as having women concern themselves with the household budget and men with the stock market) is avoided.

*Political Science:*

1. The legal status of women is discussed.
2. The under-representation of women in all levels of government is discussed.
3. Government and policy-making are treated as appropriate vocations for both men and women.

ARITHMETIC AND MATHEMATICS –

1. Examples should be drawn from all aspects of life. Boys and girls depicted in examples should not be sex stereotypes (e.g., *boys* as well as girls should bake cookies and *girls* as well as boys should build club houses).

2. Suggestions that women are incompetent in mathematics (such as *"Jane's way"* and *"John's way"* to depict the long and short method, the wrong and right way) are avoided.

HOME ECONOMICS/INDUSTRIAL ARTS –

1. All areas of practical information for personal survival (from cooking and sewing to the use of simple tools and auto repair) are described to facilitate the movement away from sex-segregated courses.

2. Suggestions that certain kinds of work are for women, others for men, are avoided.

FINE ARTS –

1. Achievements of women and men are discussed with equal attention and seriousness, and research is encouraged.
2. The text does not suggest that participation in certain of the arts indicates sexual abnormality (such as the ballet for men).
3. Artistic conventions regarding women are discussed.
4. Discussions do not suggest that women excelling in the arts do so because they are naturally more subjective and intuitive and, therefore, artistic in some respects.
5. Art history texts discuss domestic crafts as important contributions.

SEX EDUCATION –

1. Depending on the age level, the text includes some or all of the following subjects:

–equality as the necessary basis for a love relationship
–the social and political implications of the double standard
–sex, reproduction and parental responsibility
–birth control methods and reliability
–a definition of sexuality in non-Freudian, nonstereotyped terms

NATURAL AND PHYSICAL SCIENCES –

1. The discoveries and achievements of women are discussed with equal seriousness and attention as those of men. Example: Madam Curie is shown as someone more than her husband's assistant.
2. Problems and/or discussion questions avoid sex stereotyping, and illustrations show girls working out science problems as often as boys.

ADDITIONAL RESOURCES:

Studies of sexism in instructional materials are appearing almost too rapidly to keep track of. Listed below are seven resources which can be obtained cheaply and easily and which may be helpful. Other resources are listed in the Joint Task Force on Sexism in Education Report.

*Elementary and Secondary Textbook Evaluation Sheets.*
[Guidelines for evaluating curriculum materials K-12, compiled by Kalamazoo citizens. Send 10¢ plus stamped, self-addressed envelope to: Ms. Aleene Dietrich, 2425 University Avenue, Kalamazoo, Michigan 49008.]

The Feminist Press.
[Write for information about curriculum and materials, for a bibliography of non-sexist books, and for the Women's Studies Newsletter with continuing discussions on sexism in education to: Florence Howe, The Feminist Press, Old Westbury, N.Y. 11568.]

Feminists on Children's Media. *Little Miss Muffet Fights Back.* New York, 1971.
[A 200-item annotated bibliography of non-sexist books for children 3-15. Send 50¢ in coin plus a stamped, self-addressed 4 x 9½ inch envelope to: Feminists on Children's Media, P.O. Box 4315, Grand Central Station, New York, N.Y. 10017.]

Key, Mary Ritchie. "The Role of Male and Female in Children's Books – Dispelling all Doubt," *Wilson Library Bulletin*, 46 (Oct. 1971), 167-76. [A summary of studies conducted by psychologists, citizens groups, and interested individuals which reveals a discouraging consistency and similarity in the level of prejudice aimed against girls in children's books.]

Resource Center, National Foundation for the Improvement of Education.
[A Ford Foundation-funded effort to provide technical assistance in eliminating sexism in schools. For information, write: Shirley McCune, National Foundation for the Improvement of Education, 1507 M Street N.W., Washington, D.C. 20036. NOTE: The Feminist Press is participating in this project.]

*Sexism in Education.* Minneapolis, Minn.
[An information packet including proposals for change in instructional materials K-12 and resource lists. Send $3.50 to: Emma Willard, Task Force on Education, 1520 West 27th Street, Minneapolis, Minn. 55408.]

Women on Words and Images – A Task Force of Central New Jersey NOW. *Dick and Jane as Victims: Sex Stereotyping in Children's Readers,* 1972.
[A detailed evaluation of elementary readers. Send $1.50 to: Women on Words and Images, P.O. Box 2163, Princeton, N.J., 08540. Audio-visual presentation also available at $35.00 rental.]

Additionally, a number of commercial textbook companies are now beginning to reexamine sexism in their products. Some of these are: *Scott, Foresman, and Company,* 1900 E. Lake Ave., Glenview, Ill. 60025 (this publisher has a manual on sexism in textbooks available); *Houghton Mifflin Company,* Educational Division, 100 Tremont St., Boston, Mass., 02107; *McGraw-Hill Book Company,* 330 W. 42 St., New York, N.Y. 10036; and *J. B. Lippincott Company,* E. Washington Square, Philadelphia, Pa.

A comprehensive bibliography of feminist materials, including a section on sex stereotypes in instructional materials, is now available from the Pennsylvania Department of Education. Entitled *Images of Women,* this document can be obtained free of charge by writing:

The Bureau of Curriculum Services
Pennsylvania Department of Education
Box 911
Harrisburg, Pa. 17126

## CHECKLIST FOR ANALYZING AN ELEMENTARY READER

| Yes | No | | |
|---|---|---|---|
| ___ | ___ | 1. | All members of the family participate regularly and equally in household chores. |
| ___ | ___ | 2. | There are favorable presentations of mothers employed outside of the home. |
| ___ | ___ | 3. | Women working outside of the home hold administrative and/or technical jobs. They are not all teachers, librarians, social workers, nurses or secretaries. |
| ___ | ___ | 4. | Fathers take an active and competent part in housekeeping and child-rearing and are depicted showing feelings of tenderness. |
| ___ | ___ | 5. | Girls and boys participate equally in physical activities. |
| ___ | ___ | 6. | Girls and boys participate equally in intellectual activities. |
| ___ | ___ | 7. | One-parent families are portrayed, and the portrayal does not suggest that children with a single parent automatically suffer from it. |
| ___ | ___ | 8. | Male and female characters respect each other as equals. |
| ___ | ___ | 9. | Girls and boys are both shown to be self-reliant, clever, and brave -- capable of facing their own problems and finding their own solutions. |
| ___ | ___ | 10. | Multiple-parent families (divorced, remarried) are portrayed and the portrayal does not suggest that such family conditions are automatically damaging to the children. |
| ___ | ___ | 11. | There are no unchallenged derogatory sex stereotyped characterizations, such as *"Boys make the best architects,"* or *"Girls are silly."* |
| ___ | ___ | 12. | Both girls and boys are shown as having a wide range of sensibilities, feelings, and responses. |
| ___ | ___ | 13. | Both girls and boys have a wide variety of career options. |
| ___ | ___ | 14. | Adults who have chosen not to marry are portrayed favorably. |
| ___ | ___ | 15. | There are equal numbers of stories with girls and boys as central characters. |
| ___ | ___ | 16. | The male noun or pronoun (*mankind, he*) is not used to refer to all people. |
| ___ | ___ | 17. | Girls' accomplishments, not their clothing or features, are emphasized. |
| ___ | ___ | 18. | Clothing and appearance are not used to stereotype characters. |
| ___ | ___ | 19. | Non-human characters and their relationships are not personified in sex stereotypes (for example, depicting dogs as masculine, cats as feminine). |
| ___ | ___ | 20. | [For readers which incorporate biographies . . .]biographies of women in a variety of roles are included. |

## IV. LIBRARIES

It is important here to point out that the distinction being made in this manual between curriculum, instructional materials, and libraries is at best artificial. Ultimately, it is impossible to separate *what is taught* (curriculum) from *what is used to teach it* (materials). Similarly, instructional materials are instructional materials, whether they are kept in the classroom or in the library. For that reason, the information in these three chapters should be taken as a unit.

In large part, then, the criteria for evaluation of instructional materials in general apply also to the evaluation of a library collection. Along the same lines, the harm which can be done by sex-biased classroom materials can be done equally by sex-biased library holdings. In one respect, however, the damage may be more severe, for the library offers perhaps the only recourse to the student or teacher who wishes to compensate for a sex-biased text with other information. Library materials offer a good interim alternative to texts which, for whatever reason, cannot be replaced immediately. The library is the haven for the student who wishes to pursue knowledge not emphasized in the formal curriculum, as information about women frequently is not. If the library is not available to support the elimination of sexism, a valuable tool is lost.

* * *

The following points should be kept in mind in evaluating a school or community library:

1. The way in which library materials (books, films, periodicals, etc.) are purchased (that is, both the procedure and the criteria) has a significant effect on the make-up of the collection. Examine the selection and purchase mechanism carefully.

2. The school's general attitude toward the library as an integral part of the learning process directly affects its usefulness in the elimination of sexism. Are students encouraged to use the library? Is it readily accessible to them? Do teachers emphasize the importance of personal discovery in education? Do teachers use the library? Is the library adequately funded?

3. Remember that the library can be a reasonably immediate and relatively inexpensive source of innovation. Again, it offers important alternatives to sex-biased textbooks.

* * *

Additional Resources:

To help give focus to an analysis of library holdings, a brief checklist for libraries has been included at the end of this chapter. The materials and resources listed below should also be helpful, not only in evaluating present holdings but in selecting additional ones:

The New Woman's Survival Catalogue, Cowan, McCann and Geoghegan, Inc., 200 Madison Avenue, New York, N.Y. 10016. (This compilation of projects and activities by and about women reads like the Whole Earth Catalogue and is valuable both for itself and as a source for other materials $5.00).

The Source Library of the Women's Movement, Source Book Press, 185 Madison Avenue, New York, N.Y. 10016. (This collection of 40 titles - 53 volumes - of source materials on the women's movement dating back to the seventeenth century is available as a set or by individual title.)

Women's History Library, 2325 Oak Street, Berkeley, California, 94708. (This is one of the few archives of the women's movement, past and present, including directories of periodicals, films, course outlines, bibliographies, tapes and research projects. Materials are available on microfilm and may be purchased or borrowed through local library.)

Women of Letters, AMS Press, Inc., 56 East 13th Street, New York, N.Y. 10003. (Including journals, reprints and works by women, this reprint series covers 58 titles in 121 volumes. Items are available individually or as a complete set.)

## CHECKLIST FOR ANALYZING A SCHOOL LIBRARY

| Yes | No | | |
|---|---|---|---|
| ___ | ___ | 1. | Books and/or library sections are not designated as *for girls* or *for boys.* |
| ___ | ___ | 2. | The library includes materials which discuss psychology, sociology, economics, political science, and history from feminist viewpoints. |
| ___ | ___ | 3. | The library includes a significant number of biographies and autobiographies by and about women. |
| ___ | ___ | 4. | The library includes materials which portray women favorably in roles other than wife, mother, and homemaker, or other traditional female occupations. |
| ___ | ___ | 5. | Library displays include feminist subjects. |
| ___ | ___ | 6. | Library displays depict women favorably in roles other than wife, mother, and homemaker, or other traditional female occupations. |
| ___ | ___ | 7. | Procedures and criteria for selecting library materials include evaluation for sexism. |
| ___ | ___ | 8. | The library subscribes to and makes readily available feminist periodicals and publications. |
| ___ | ___ | 9. | Materials on career choices offer a wide variety of options for both girls and boys. They do not suggest that certain careers are *for girls* and others *for boys.* |
| ___ | ___ | 10. | A brief examination of selected items in the library indicates that they meet the standards for nonsexist instructional materials. |

## V. STAFFING

Staffing deals with the hiring, promotion, development, assignment and retirement of school personnel. It includes administrators, department heads, teachers, librarians, guidance counselors, secretaries, aides - in short, the full range of paid employes of the school or college.

There are three ways in which staffing has a direct impact on the elimination of sexism.

First, the subject of sexism in education includes the school's function as employer, that is, its relationship with the people it hires as well as with the students it serves. Traditionally, schools, like other employers, have associated staff levels and positions with sex. As a result, women in school staffs are concentrated at the low levels and in certain types of work: elementary teachers, librarians, teachers' aides, teachers of typing, stenography, English, and education, for example. Few women break into the administrative ranks: In Pennsylvania, no women serve as school district superintendents and no women hold the post of president of a state college or university.

In addition to being illegal, these kinds of employment patterns are harmful not only to the employes in question, but also to students. Students take their cues from the environment. The absence of men in early childhood programs, for example, may suggest that child-rearing is an inappropriate concern for men. Moreover, sex-biased staffing may suggest that levels of responsibility and achievement should properly be associated with sex; that women are not equal to certain kinds of jobs, particularly leadership roles. For a young woman looking to the future, the message may be all too clear: Don't aspire too high. For all students, the educationally important opportunity to interact with members of both sexes at and within all levels may be lost.

The third facet which impinges on the elimination of sexism is the staff's attitude toward sexism and skill in opposing it. It is important for all members of the staff to recognize the pernicious effects of sex stereotyping and to develop a working, daily commitment to its elimination. This commitment must start at the top, with the school board or board of trustees and its chief administrative officers. It should be conveyed to the staff through equal employment practices, strong support for non-sexist programs and materials and training opportunities designed to increase skill in eliminating sexism. This issue relates to the in-service education program, and is discussed in a later section of this chapter.

* * *

An investigation of staffing patterns and staff development practices often raises cries of interference and fears of legal reprisals. It need not. It is, quite simply, a collection of data on which future staffing decisions can be based. It is affirmative action in the best sense: self-examination and self-motivation toward equal employment and equal educational opportunity. Following are a series of steps leading to this goal:

1. Examine staffing and staff development according to the checklist included in this chapter.

2. Identify and list staffing and staff development patterns and needs apparent from the examination.

3. Identify immediate and long-range mechanisms for improving staffing and staff development patterns. (Suggestions are included in the next section of this chapter.)

4. Submit data and recommendations to the governing board of the school and its chief administrative officers.

* * *

A number of potential avenues are open to schools which discover a need to move more aggressively into equal staffing for women and into further staff sensitization to sexism. A few are suggested below:

*General:*

Make affirmative action an integral part of all employment practices. This does not mean discrimination against men. It does mean making a heretofore neglected effort to give women equal opportunities. An affirmative plan, including goals and timetables, should be included in hiring, promotion and retention procedures. An affirmative action officer or council can be created to oversee this process.

*Hiring:*

All positions should be posted in-house and advertised in media likely to have substantial female audiences.

Make it a point to inquire about potential female candidates.

Review contracts and fringe benefit programs for potentially discriminatory features.

Review starting salaries and job qualifications for possible discrimination.

Confine all hiring decisions to *clearly job-related* experience and qualification factors, including volunteer experience.

Prepare written qualification criteria which are demonstrably related to job-competency.

*Assignment and Promotion:*

Examine all existing job classifications to determine whether women and men are being given different titles and salaries for performing substantially similar jobs.

Investigate the use of anticipated vacancies or new positions for breaking patterns of clustering one sex in certain positions.

Examine the staff pool already employed for women who may be potential candidates for promotion and/or new assignment. Provide career motivation seminars and other encouragement to overcome effects of past discrimination.

Examine promotion criteria to ensure that they are demonstrably job-related. Communicate these criteria to all staff members.

Post all vacancies and new assignment opportunities.

*Retirement and Retrenchment:*

Examine retirement policies and programs for unequal treatment of women and men.

Examine retrenchment policies to assure that they do not perpetuate the effects of past discrimination.

## CHECKLIST - STAFFING

### General

YES NO

___ ___ 1. Women constitute approximately half of the teaching faculty and half of the administration.

___ ___ 2. Women and men are present in approximately equal numbers at every staff level (e.g., teacher, department head, principal, instructor, assistant professor, associate professor, professor) and in permanent staff positions.

___ ___ 3. Women and men performing the same or similar duties with equal experience and qualifications receive equal salaries.

### Hiring Practices

___ ___ 1. There is a formal announcement, search and interview mechanism which is used equally for all candidates.

___ ___ 2. Recruitment practices include nontraditional channels for identifying promising women candidates. (See Additional Resources, P. 30 .)

___ ___ 3. Women and men with comparable experience and qualifications are hired at the same level.

___ ___ 4. Women and men hired at comparable levels receive equal salaries.

___ ___ 5. Recruitment and hiring decisions are not based on unverified assumptions about such matters as family obligations or willingness to relocate.

___ ___ 6. Contracts include childbirth leave policies which do not penalize women in status, pay or benefits for childbearing.

___ ___ 7. Fringe benefit programs are the same for all employes.

### Assignment

___ ___ 1. Individuals of one sex are not clustered in certain job classifications, departments, grades or divisions.

___ ___ 2. Job classifications with substantially the same duties and qualifications have the same title and salary.

### Promotion

___ ___ 1. Women are encouraged to seek education necessary for promotion levels.

___ ___ 2. Promotion policies are explicit and are applied equally to all members of the staff.

___ ___ 3. Determination of *merit* is based on qualifications which can be demonstrated to be job-related.

___ ___ 4. On the whole, women are promoted as frequently as men at all levels.

___ ___ 5. Promotions for comparable service and duties carry equal salary increases for women and men.

### Retirement and Retrenchment

___ ___ 1. In providing equalized services, such as a coeducational physical education program, a disparate number of staff members of one sex are not retrenched.

___ ___ 2. A comparison of hiring and tenure statistics does not indicate a pattern of denying tenure to women.

*Staff Development:*

Sex discrimination is by its very nature pervasive and deep-rooted. Eliminating it requires awareness, commitment and skill. As we have learned in attempts to eliminate racism, substantial gains are most likely to occur when the problem is approached with the full concern and resources of the whole system. This means not only attending to the specific kinds of problems discussed in this manual but--perhaps more important--developing in all levels of staff and administration a clear perception of what kinds of behaviors are sexist and of the damage those behaviors cause.

In basic education, the existence of in-service education programs - and the fact that they are required for permanent certification - reflects the belief that, in teaching especially, it is essential to have constant contact with new ideas. This makes in-service education a logical forum for developing skills to eliminate sexism in basic education.

Individual in-service activities vary from school to school, and may consist of anything from a part-day discussion to an in-depth workshop of several days' duration. They may or may not be for graduate credit.

In-service programs may be originated by:

- the Department of Education (through the six regional in-service coordinators of the Bureau of Curriculum Services).
- the local intermediate unit. (There are 29 across the state. They are intended to be regional service offices for the educational system.)
- local or regional in-service councils.
- the school district or school itself.
- a interested outside group or agency, with permission of the superintendent.

Higher education does not have a state-wide structure for in-service. Nevertheless, the importance of on-going professional development has been recognized by colleges and universities as long as they have existed - in the form of retreats, workshops, sabbaticals and leaves. In higher education, a program for improving skills in eliminating sexism might be initiated by:

- the Department of Education.
- the Dean's Office.
- the Department Head.
- individual faculty members.

In both basic and higher education, there are a number of possible formats for sexism workshops. A few of these include:

- a speaker (from within or outside of the school).
- a panel discussion on the effects of sexism.
- a problem-oriented workshop.

- sensitizing sessions which bring participants in direct contact with sexism (e.g., books or T.V. commercials).

- workshops which focus on the legal basis for opposing sexism.

- workshops on the result of this study.

Additional Resources:

*Affirmative Action Recommendations for Pennsylvania State-owned Institutions of Higher Education, March, 1973.* Pennsylvania Human Relations Commission, 100 N. Cameron Street, Harrisburg, Pennsylvania 17101.

Guidelines for Higher Education. Executive Order 11246, Office for Civil Rights, Department of Health, Education and Welfare, Washington, D.C.

The Project on the Status and Education of Women, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009. (Information available includes material on recruitment and advertising sources, listings of Women's Caucuses and Committees, employment policies, legal consideration, and training programs.)

*Recommendations by the Equal Educational Opportunity Task Force to the Pennsylvania Departments of Education for Pennsylvania Institutions of Higher Education,* Office of Equal Opportunity, Higher Education, Pennsylvania Department of Education, Box 911, Harrisburg, Pennsylvania 17126.

"Seven Deadly Half-Truths About Women" by Joan E. Crowley, Teresa L. Levitin and Robert P. Quinn in *Psychology Today* (March, 1973). Women's Bureau, U.S. Department of Labor, Washington, D.C.

## VI. GUIDANCE AND COUNSELING

The meaning of *counseling* varies somewhat depending on whether it is being applied to basic education (K-12) or to higher education. In the first 12 grades, counseling is frequently considered one part of a broad guidance theory. This may include: the choosing of programs of study, the selection and scheduling of courses, maintenance of study records, college and/or job placement, counseling for personal and/or learning problems, health care, and discipline. These activities are normally conducted by an identifiable team of professionals called the pupil personnel staff.

Often, institutions of higher education have no coordinated program of counseling services. Health services are available from the infirmary. Academic counseling is a function of the dean's office (usually delegated to individual faculty advisers). Personal counseling may be accessible either through a counseling center or, recently, through a student-staffed hot-line facility. The college placement office maintains career-related credentials. Rarely are more than two or three of these activities integrated.

Because of these differences, it is helpful to consider this aspect of education separately for basic and for higher education.

* * *

Virtually all secondary schools and many elementary schools in Pennsylvania provide some guidance services for their students. This means that their guidance functions are likely to touch all students at some time or another - in the form of career counseling, testing, personal consultation, or some other way. It is extremely important that neither the methods nor the tools show sex-bias. Following are some of the elements of guidance which should be reviewed. Where bias is found, appropriate remedial action should be taken:

- All students should be encouraged to consider seriously all programs of study, and to make choices based on their interests and talents rather than on their sex.
- Students should not be discouraged from taking any class because of their sex.
- Students should be encouraged to consider career options not traditionally associated with their sex. (This should occur not only in individual counseling late in high school, but also in a coordinated career development program beginning at least as early as the middle years.)
- Career materials should be free from sex-bias. (See the Instructional Materials section of this manual for guidelines.)
- Work/study experiences should not be assigned on the basis of sex, either in terms of who participates in the program or in terms of the particular type of work assigned.
- Vocational preference tests should not have separate forms or separate marking keys for females and males.
- Every standardized test should state clearly the population on which it was normed (including sex breakdown) and the uses to which it may validly be put.

- Standardized test items should avoid sex stereotypes in the content of problem statements.

- Personal counseling should place emphasis on individual characteristics rather than traditional *masculine* or *feminine* roles.

- Pursuant to a 1971 Attorney General's opinion, unless there is a medically certified health danger, guidance personnel should make every effort to keep pregnant students in regular school programs and to provide special guidance where necessary.

- Pursuant to a 1973 Attorney General's opinion, a student or the student's parents have the right to examine that student's school records. This option should be exercised to review records for sex-biased comments, test results and/or interpretations. The ruling provides that student or parental consent should be obtained before records are released to other parties.

- College counseling should provide the student with knowledge of different types of postsecondary programs and institutions.

- Special programs (such as role model seminars and workshops on family relationships, career aspiration and career problems) are provided to help overcome the effects of past discrimination.

* * *

The fact that institutions of higher education may not have a coordinated guidance program frequently makes guidance harder to examine at that level. Academic advising, for example, probably assumes as many different forms as there are advisers. This diversity in itself is a problem for those who fear that the practice of tracking women out of certain curricula is as common in higher as in basic education. The following considerations should provide an initial profile of college and university guidance and counseling:

- Academic, career and personal counseling should be available to all students.

- Career counseling should reflect an awareness of the changing roles of and expanding opportunities for women.

- All students should have access to both female and male counselors.

- Sex-biased vocational inventory tests (those with separate forms for women or items depicting sex stereotypes) should not be used.

- Personal counselors should not have disciplinary functions.

- Counseling for all students should be confidential.

- Every effort should be made to give academic, personal and vocational advisers an understanding of the changing role of women and to assure advising which is free of sex bias.

- Specially designed programs on career aspirations and future vocational problems should be available for women.

- Medical services should be conducted in an atmosphere of privacy and records should be confidential. Medical personnel should develop a sensitivity to sexist behaviors.

- Medical services should include: gynecological care, pregnancy testing and counseling, pre-natal care; venereal disease testing, treatment and counseling; contraceptive counseling and prescription (for both men and women); educational programs on rape, abortion, sexuality and contraception.

* * *

Additional Resources:

"Realistic Counselling for High School Girls," by Iris M. Tiedt. *The High School Counselor*, 19:3 (May, 1972), 54-6.

"Sexist Counseling Must Stop," by Jo-Ann Gardner. *Personnel and Guidance Journal*, 49 (May, 1971), 705-13.

*Training Woman to Know Her Place: The Social Antecedents of Women in the World of Work*. Sandra and Daryl Bem. Office of Information and Publications, Pennsylvania Department of Education, Harrisburg, Pennsylvania.

"A Woman's Place: Children's Sex Stereotyping of Occupations" by Nancy Schlossberg and Jane Goldman. *Vocational Guidance Quarterly*, 120:4 (June, 1972), 266-70.

*Woman's Place - Options and Limits in Professional Careers*, by Cynthia Fuchs Epstein. Berkeley University of California Press, 1970. $6.95 (Also available in paper back)

## VII. ADMISSIONS

Admissions is a subject usually associated with higher education - with entry into college or graduate study. Indeed, that is an area in which admissions practices have a significant impact on educational opportunities for women. But admissions also has strong implications for sex-tracking in basic education (including vocational-technical schools). For that reason, this brief chapter attempts to outline admissions considerations for both higher and basic education.

* * *

Traditionally, sex discrimination in college and university admissions took the form of limitations on the number of women admitted. As a consequence, women who were admitted were often required to meet higher standards than those required of men. To a great extent, such restricting guotas have been abandoned–at least officially. Nevertheless, a number of procedures which adversely affect women's access to higher education remain.

Frequently, policies represented by these procedures are not official. Therefore, it may be necessary to draw conclusions indirectly from information available in a number of separate offices.

- Examine the college/university catalogue for statements on admissions policies.
- Examine enrollment statistics for previous years. These should be available from either the Registrar or the Dean of Admissions.
- Review the recruiting procedures and admissions requirements of the Admissions Office.
- Review criteria for the granting of financial aid.

The kinds of policies which should be questioned include:

- unofficial quotas.
- the requiring of higher entrance examination and/or grade point averages for women, both to be admitted and to become eligible for financial aid. This can often be determined from profiles of entering classes, normally available from the Admissions Office.
- the lack of an active recruiting program for women.
- the use of sex-biased standardized tests as a primary criteria for admissions.
- the use of minimum test scores, class rank or grades as the sole criteria for admissions.
- the use of marital or parental status as a criterion for admissions or financial aid.
- the absence of equitable representation of females on recruiting staffs.

There are a number of questions which may be of special interest to prospective female students in their admissions interviews. These include:

- Will I have access to athletic facilities?

- Will I have access to all extracurricular activities?
- How many women are on the staff? At what levels?
- Will I have access to women as advisers?
- Are women's studies included in the curriculum?
- Does your health service include gynecological care?
- What per cent of women do you expect in next year's class? What per cent is in this year's class?
- On what criteria will the school determine my admissions?
- Will all academic programs be open to me?

* * *

Much of the admissions function in basic education falls into the purview of the guidance program. Consequently, that chapter should be read in conjunction with this one. In addition, the following admissions-related questions may be asked:

- Are both sexes encouraged to enter and admitted equally to all vocational education programs and facilities?
- Does the curriculum catalogue indicate in any way that certain programs are for boys, others for girls? Do the offerings meet a wide range of interests and abilities?
- What are the criteria for entrance into special activities, for example: field experience, model United Nations activities and *student-mayor* programs? Do boys and girls participate equally in these functions in nonstereotyped ways?
- Are all standardized tests used as criteria for admission to programs carefully examined for sex bias?

## VIII. EXTRACURRICULAR ACTIVITIES

When we think of school, we tend to think only of the formal learning/teaching situtations; the regular curriculum and the kinds of interactions it fosters. However, a significant portion of the student's involvement may be extracurricular activities recognized and funded by the school as a bona fide, if noncredit, part of the student's education. In this sense they are in fact cocurricular. While the level and nature of student involvement may vary from basic education to higher education, the types of activities tend to be similar: chess clubs, language clubs, intramural and/or interscholastic sports programs, social service clubs, musical associations, sororities and fraternities, and a number of others. This includes activities which are not officially sponsored by the school but for which the school provides facilities or support.

The role of these cocurricular activities in the elimination of sexism is similar to that of other school programs. It may be summarized in the following three points:

- Adult advisers should be sensitive to sexism and should possess the skills to counteract it.
- Activities should be available to all students.
- Funding should be equitable for all activities.

This frequently is not the case. It is not uncommon, in either basic or higher education, for certain activities to be funded on a much larger scale than other activities. Very often, these are the same programs in which participation is limited to one sex.

The most dramatic example of this inequity is in cocurricular athletic programs. The pattern (which, it should be noted, neglects the needs of many males as well as of most females) is simple and provides a model for examining other sex-biased extracurricular activities:

- The school participates in an expensive interscholastic sports program for males. This program is professionally coached and has first access to facilities and equipment.
- The school does not offer–or offers with little funding–an interscholastic sports program for women. There are probably fewer coaches for these programs, and the coaching is likely to be voluntary.
- The school offers a limited intramural sports program, but with little funding and only volunteer coaching. These students have access to facilities only when the interscholastic programs do not wish to use them.

It is important to emphasize here that the sports program, while a useful illustration, is by no means the *only* example of sex-biased extracurricular activity. Membership in social service clubs or choruses, for example, is likely to be limited to one sex, and some academic subject-related activities (e.g., the home economics club) may well reflect the sex stereotyping of the regular curriculum. Leadership activities, such as the school crossing guard, may be limited to one sex. A study of extracurricular activities should not, therefore, be limited to athletics.

* * *

The following steps may be useful in guiding a study of the full cocurricular program:

- Examine the educational philosophy underlying the school's extracurricular program. What are the goals? Do they embody a recognition of the learning value of extracurricular programs and a commitment to equal educational opportunity?

- Examine the procedure by which extracurricular activities are chartered and funded. Is the elimination of sexism a criteria?

- Make a list of all extracurricular activities sponsored by the school. Indicate for each activity:

  - the level of funding

  - the number of students participating

  - any limitations on membership

This information should be on file in the office of the chief administrator.

- Examine the relationship of nonschool associations to the extracurricular program. While it is appropriate and desirable for community groups to be involved in education, such groups should not be permitted to establish guidelines which violate the school's educational and legal commitment to equal opportunity.

- Examine the content of activities for possible sex stereotyping and/or bias (for example, the content of musical skits or class plays).

* * *

One of the chief obstacles in changing extracurricular activities, particularly in basic education, is the community (the higher education counterpart may be the institution's graduates). While the community may well endorse the concept of equal educational opportunity, community pressure can be–and usually is–strong and vocal in its support of the all-male interscholastic program. Unfortunately and ironically, it is in this particular activity--which symbolizes sex-bias in the schools, which permits participation of only a few students regardless of sex, which raises questions of student safety, and which meets the interests of a fraction of the student body--that the extremely desirable goal of community enthusiasm is achieved.

It is no wonder that many administrators feel uncertain about how to improve extracurricular programs.

For all of these reasons, the first step in this difficult area is likely to be community education. It is important that the school join with concerned community people in this effort by cosponsoring activities such as workshops, conferences, and publicity drives. Board meetings and budget hearings are useful for this, as are existing communication vehicles like parent and graduate newsletters. The focus of these programs should be the educational role of cocurricular activities in meeting the needs and interest of *all* students.

A logical second phase, then, would be a review of the approval process for extracurricular programs. How are they instituted and by what criteria? According to what standards are they funded? Such mechanisms should be changed, where necessary, to bring them into line with a commitment to the good of all students.

Finally, existing programs should be reviewed individually, and the hard decisions about their appropriateness and level of funding should be made.

## IX. THE SCHOOL ENVIRONMENT

Not everything that a student learns in school is encompassed in the formal curriculum. Students also pick up lessons from the way the school is organized, the way administrators interact with teachers, teachers with students, and a host of other ways in which the school indirectly expresses its values. Educators have a word for this dimension of school life: the hidden curriculum.

The distinction between the formal curriculum and the hidden curriculum is the distinction between *"Do as I Say"* and *"Do as I Do."* Where there is a very great disparity, students are apt to perform according to the formal curriculum, but to do their real learning in terms of the subtle signals of the hidden curriculum. Thus, little may be gained by teaching the Bill of Rights in civics class if students have no mechanism for redress of their own grievances.

This is why token change so often proves fruitless in schools, particularly with such an old and widespread inequity as sex discrimination. If sexism is to be eliminated, the full life of the school must reflect the commitment.

* * *

Understanding and, if necessary, changing the milieu of the school is the most difficult of all self-study activities. It involves not only all of the more concrete projects, but also the extremely *soft* issues: attitudes, casual behaviors and informal structures. Some of the aspects of school life which should be looked into include:

. the demonstrated past willingness of teachers and administrators to change.

- How has the school reacted to major educational issues of the last decade?
- Are there regular and periodic evaluations of school programs? Do all groups (including students) participate in these evaluations?

. the strength of student government.

- Do students perceive student government as being representative and important (both to them and to the faculty and administration)?
- Does the student government regularly concern itself with the educational life of the school?
- Are the powers of the student government specified?
- Is there a bill of student rights and responsibilities?

. student involvement in structuring the curriculum.

- Are there minicourses?
- Can students self-select and self-schedule courses?

. the informality of the physical environment.

. opportunities for students to communicate ideas without undue supervision.

- Is there a student newspaper? Is it published regularly? Does it ever criticize and offer suggestions for improving the educational life of the school?

- Is there a student-operated bulletin board for students?

- Is there a place where students may gather unsupervised?

These kinds of activities can be indicators of a generally open and responsive environment. Within this environment, a self-study of sexism should be careful to examine at least the following particulars (a nonsexist environment will *not* have these traits):

. Faculty committees are chaired by men, with women as secretaries.

. There are separate faculty lounges for men and women.

. The principal spends most of her/his time talking with members of the same sex.

. Faculty assignments follow sex stereotypes (e.g., men teach vocational education classes, supervise conduct in cafeterias, and sell tickets at the gate for athletic programs).

. Males hold most student leadership positions.

. Different sets of manners and behaviors are expected from male and female students.

. Workshops to develop sensitivities to sexism have not been held.

## X. THE LEGAL BASIS

It is important to inform any self-study activity with a knowledge of the legal basis for eliminating sexism in schools and an understanding of the legal channels available for redress of sex discrimination complaints. This information falls into two categories:

- Federal provisions
- State provisions

Federal provisions include the Constitution, federal laws, the federal executive orders. Courts have not generally interpreted the *due process* and *equal protection* guarantees of the Fifth and Fourteenth Amendments of the United States Constitution as applying to sex discrimination. If ratified, the Equal Rights Amendment to the Constitution will specify those guarantees for women. The ERA provides that:

> *Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.*

In addition, a number of actions by the Federal Government since 1964 have spelled out the rights of women in educational institutions. These provisions are described in Exhibit I attached to this chapter. Also indicated on that chart is the federal agency responsible for enforcement, the agency's address, and a general breakdown of the enforcement process.

State provisions include: the Equal Rights Amendment to the Pennsylvania Constitution, laws envorced by the Pennsylvania Human Relations Commission, various executive orders, actions of the Pennsylvania State Board of Education and Directives of the Pennsylvania Secretary of Education and his Commissioners. Article I, Section 27 of the state Constitution (The State Equal Rights Amendment), approved by the citizens of the Commonwealth in May 1971, provides that:

> *Equality of rights under the law shall not be denied or abridged in the Commonwealth of Pennsylvania because of the sex of the individual.*

In addition to these actions, the Pennsylvania General Assembly has enacted legislation directly concerning sex discrimination in educational institutions. Exhibit II details the provisions and enforcement procedures of these laws.

Passage of the State ERA was closely followed by three Executive Directives and one Management Directive issued by Governor Milton J. Shapp. These are attached to this chapter as Exhibits III-VI.

In 1972, Secretary of Education John C. Pittenger issued administrative directives on sexism covering all public schools of basic education and the state-owned and state-related colleges and university. These directives are included as Exhibits VII and VIII.

Secretary Pittenger's directives were later embodied in Amendments to State Board regulations, which have the power of law in areas specified by the state legislature. These amended regulations are as follows:

Regulations, Chapter 5 of Title 22: Curriculum

5.21 *Racial, Ethnic Group and Women's Studies*

In each course of the social studies program in the elementary and secondary schools of the Commonwealth, there shall be included the active roles and contributions

of women, minority racial and ethnic groups in the history of the United States and the Commonwealth of Pennsylvania.

5.23 *Intergroup Education*

The instructional program of every school shall include intergroup concepts which are designed to improve students' understanding and relationships between individuals and groups of different sexes, races, national origins, religions and socio-economic backgrounds.

In addition, on September 14, 1973, the Pennsylvania State Board of Education adopted the following resolution:

WHEREAS, the Governor and General Assembly of the Commonwealth, and the President and Congress of the United States have enacted laws and issued directives affirming their intent to protect and grant equal opportunity to employes and students; and

WHEREAS, the federal government and the Commonwealth of Pennsylvania have enacted and enforced laws regarding equality of employment; and

WHEREAS, the federal government and the Commonwealth of Pennsylvania have enacted and enforced laws regarding equality of opportunity in education; and

WHEREAS, the State Board of Education has affirmed from time to time in the Master Plan and by its actions its desire for equal education in the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED that: The State Board of Education endorses the principle of equal educational opportunity for all people regardless of race, color, sex, religion, ancestry, national origin, or age, and recognizes that it will be necessary for educational institutions to implement affirmative action plans to ensure equality for all employes and students in the state-owned colleges and universities, state-related universities, community colleges, the independent colleges and universities, and the proprietary schools.

This was followed (on December 5, 1973) by Higher Education Circular 2 on Equal Educational Opportunity, issued by Jerome M. Ziegler, Commissioner of Higher Education, (Exhibit IX).

Additional Resources:

*Academic Women, Sex Discrimination, and the Law: An Action Handbook*, by Adrian Tinsley and Elaine Rueben (Prepared for the Modern Languages Association Commission on the Status of Women, this pamphlet is available from Adrian Tinsley, William James College, Allendale, Michigan 49401 *or* Elaine Hedges, Chairwomen, MLA Commission on Women, Department of English, Towson State College, Baltimore, Maryland 21204. Send 50¢ per copy to cover postage and printing.)

*Sex Discrimination, Educational Institutions, and the Law: A New Issue on Campus*, by Bernice Sandler. (This is a reprint from the Journal of Law and Education, Volume 2, Number 4, October 1973. It is available from Project on the Status and Education of Women, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009.)

# EXHIBITS

# Federal Laws[1] and Regulations Concerning Sex Discrimination in Educational Institutions[2]

*October, 1972*

Compiled by Project on the Status and Education of Women, Association of American Colleges

BEST COPY AVAILABLE

EXHIBIT I

| | Executive Order 11246 as amended by 11375 | Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 | Equal Pay Act of 1963 as amended by the Education Amendments of 1972 (Higher Education Act) | Title IX of the Education Amendments of 1972 (Higher Education Act)[11] | Title VII (Section 799A) & Title VIII (Section 845) of the Public Health Service Act as amended by the Comprehensive Health Manpower Act & the Nurse Training Amendments Act of 1971[16] |
|---|---|---|---|---|---|
| **Effective date** | Oct. 13, 1968 | March 24, 1972 (July 1965 for non-professional workers.) (Institutions with 15-24 employees are not covered until March 24, 1973.) | July 1, 1972 (June, 1964, for non-professional workers.) | July 1, 1972 (Admissions provisions effective July 1, 1973.) | Nov. 18,1971 |
| **Which institutions are covered** | All institutions with federal contracts of over $10,000.[3] | All institutions with 15 or more employees. | All institutions. | All institutions receiving federal monies by way of a grant, loan, or contract (other than a contract of insurance or guaranty). | All institutions receiving or benefiting from a grant, loan guarantee, or interest subsidy to health personnel training programs or receiving a contract under Title VII or VIII of the Public Health Service Act.[19] |
| **What is prohibited**[3] | Discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training, and other conditions of employment) on the basis of race, color, religion, national origin or sex. Covers all employees. | Discrimination in employment (including hiring, upgrading, salaries, fringe benefits, training and other conditions of employment) on the basis of race, color, religion, national origin or sex. Covers all employees. | Discrimination in salaries (including almost all fringe benefits) on the basis of sex. Covers all employees. | Discrimination against students or others[14] on the basis of sex.[15] | Discrimination in admission of students on the basis of sex and against some employees.[20] |
| **Exemptions from coverage** | None. | Religious institutions are exempt with respect to the employment of individuals of a particular religion or religious order (including those limited to one sex) to perform work for that institution. (Such institutions are not exempt from the prohibition of discrimination based on sex, color and national origin.) | None. | *Religious institutions* are exempt if the application of the anti-discrimination provisions are not consistent with the religious tenets of such organizations.<br>*Military schools* are exempt if their primary purpose is to train individuals for the military services of the U.S. or the merchant marine.<br>*Discrimination in admissions*[14] is prohibited only in vocational institutions (including vocational high schools), graduate and professional institutions, and public undergraduate coeducational institutions. | None. |
| **Who enforces the provisions?** | Office of Federal Contract Compliance (OFCC) of the Department of Labor has policy responsibility and oversees federal agency enforcement programs. OFCC has designated HEW as the Compliance Agency responsible for enforcing the Executive Order for all contracts with educational institutions. HEW's Office for Civil Rights (Division of Higher Education) conducts the reviews and investigations. | Equal Employment Opportunity Commission (EEOC).[5] | Wage and Hour Division of the Employment Standards Administration of the Department of Labor. | Federal departments and agencies which are empowered to extend financial aid to educational programs and activities. HEW's Office for Civil Rights (Division of Higher Education) is expected to have primary enforcement powers to conduct the reviews and investigations.[17] | HEW's Office for Civil Rights (Division of Higher Education) conducts the reviews and investigations. |
| **How is a complaint made?** | By letter to OFCC or Secretary of HEW. | By a sworn complaint form, obtainable from EEOC. | By letter, telephone call, or in person to the nearest Wage and Hour Division office. | Procedure not yet specified. A letter to Secretary of HEW is acceptable. | Procedure not yet specified. A letter to Secretary of HEW is acceptable. |
| **Can complaints of a pattern of discrimination be made as well as individual complaints?** | Yes. However, individual complaints are referred to EEOC. | Yes. | Yes. | Yes. | Yes. |
| **Who can make a complaint?**[4] | Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s) or applicant(s). | Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s) or applicant(s). Members of the commission may also file charges. | Individuals and/or organizations on own behalf or on behalf of aggrieved employee(s). | Individuals and/or organizations on own behalf or on behalf of aggrieved party. | Individuals and/or organizations on own behalf or on behalf of aggrieved party. |
| **Time limit for filing complaints**[4] | 180 days. | 180 days. | No official limit, but recovery of back wages is limited by statute of limitations to two years for a non-willful violation and three years for a willful violation. | Procedure not yet determined. | Procedure not yet determined. |
| **Can investigations be made without complaints?** | Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints. Pre-award reviews are mandatory for contracts over $1,000,000. | No. Government can conduct investigations only if charges have been filed. | Yes. Government can conduct periodic reviews without a reported violation as well as in response to complaints. | Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints. | Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints. |

| | | | | | |
|---|---|---|---|---|---|
| **Can the entire institution be reviewed?** | Yes. HEW may investigate part or all of an institution. | Yes. EEOC may investigate part or all of an establishment. | Yes. Usually the Wage-Hour Division reviews the entire establishment. | Yes. HEW may investigate those parts of an institution which receive federal assistance (as well as other parts of the institution related to the program, whether or not they receive direct federal assistance). If the institution receives general institutional aid, the entire institution may be reviewed. | Yes. HEW may investigate those parts of an institution which receive federal assistance under Title VII and VIII (as well as other parts of the institution related to the program, whether or not they receive assistance under these titles). |
| **Record keeping requirements and government access to records** | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. |
| **Enforcement power and sanctions** | Government may delay new contracts, revoke current contracts, and debar institutions from eligibility for future contracts. | If attempts at conciliation fail, EEOC or the U.S. Attorney General may file suit.[10] Aggrieved individuals may also initiate suits. Court may enjoin respondent from engaging in unlawful behavior, order appropriate affirmative action, order reinstatement of employees, and award back pay. | If voluntary compliance fails,[11] Secretary of Labor may file suit. Aggrieved individuals may initiate suits when Department of Labor has not done so. Court may enjoin respondent from engaging in unlawful behavior, and order salary raises, back pay and assess interest. | Government may delay new awards, revoke current awards, and debar institution from eligibility for future awards. Department of Justice may also bring suit at HEW's request. | Government may delay new awards, revoke current awards, and debar institution from eligibility for future awards. Department of Justice may also bring suit at HEW's request. |
| **Can back pay be awarded?**[9] | Yes. HEW will seek back pay only for employees who were not previously protected by other laws allowing back pay. | Yes. For up to two years prior to filing charges with EEOC. | Yes. For up to two years for a nonwillful violation and three years for a willful violation. | Probably, to the extent that employees are covered. | Probably, to the extent that employees are covered. |
| **Affirmative action requirements** (There are no restrictions against action which is non-preferential) | Affirmative action plans (including numerical goals and timetables) are required of all contractors with contracts of $50,000 or more and 50 or more employees.[9] | Affirmative action is not required unless charges have been filed, in which case it may be included in conciliation agreement or be ordered by the court. | Affirmative action, other than salary increases and back pay, is not required. | Affirmative action may be required *after* discrimination is found. | Affirmative action may be required *after* discrimination is found. |
| **Coverage of labor organizations** | Any agreement the contractor may have with a labor organization can not be in conflict with the contractor's affirmative action commitment. | Labor organizations are subject to the same requirements and sanctions as employers. | Labor organizations are prohibited from causing or attempting to cause an employer to discriminate on the basis of sex. Complaints may be made and suits brought against these organizations. | Procedure not yet clear. Any agreement the institution may have with a labor organization can not be in conflict with the nondiscrimination provisions of the legislation. | Procedure not yet clear. Any agreement the institution may have with a labor organization can not be in conflict with the nondiscrimination provisions of the legislation. |
| **Is harassment prohibited?** | Institutions are prohibited from discharging or discriminating against any employee or applicant for employment because he/she has made a complaint, assisted with an investigation or instituted proceedings. | Institutions are prohibited from discharging or discriminating against any employee or applicant for employment because he/she has made a complaint, assisted with an investigation or instituted proceedings. | Institutions are prohibited from discharging or discriminating against any employee because he/she has made a complaint, assisted with an investigation or instituted proceedings. | Institutions will be prohibited from discharging or discriminating against any participant or potential participant because he/she has made a complaint, assisted with an investigation or instituted proceedings. | Institutions will be prohibited from discharging or discriminating against any participant or potential participant because he/she has made a complaint, assisted with an investigation or instituted proceedings. |
| **Notification of complaints** | Notification of complaints has been erratic in the past. HEW is proposing notifying institutions of complaints within 10 days. HEW notifies institutions a few weeks prior to investigation. | EEOC notifies institutions of complaints within 10 days. | Complaint procedure is very informal. Employer under review may or may not know that a violation has been reported. | Procedure not yet determined. | Procedure not yet determined. |
| **Confidentiality of names** | Individual complainant's name is usually given to the institution. Investigation findings are kept confidential by government, but can be revealed by the institution. Policy concerning government disclosure concerning investigations and complaints has not yet been issued. The aggrieved party and respondent are not bound by the confidentiality requirement. | Individual complainant's name is divulged when an investigation is made. Charges are not made public by EEOC, nor can any of its efforts during the conciliation process be made public by the commission or its employees. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement. | The identity of a complainant, as well as the employer (and union, if involved), is kept in strict confidence.[12] If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement. | Identity of complainant is kept confidential if possible. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement. | Identity of complainant is kept confidential if possible. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement. |
| **For further information, contact** | Division of Higher Education<br>Office for Civil Rights<br>Department of HEW<br>Washington, D.C. 20201<br>or<br>Office of Federal Contract Compliance<br>Employment Standards Administration<br>Department of Labor<br>Washington, D.C. 20210<br>or<br>Regional HEW or DOL Office | Equal Employment Opportunity Commission<br>1800 G Street, N.W.<br>Washington, D.C. 20506<br>or<br>Regional EEOC Office | Wage and Hour Division<br>Employment Standards Administration<br>Department of Labor<br>Washington, D.C. 20210<br>or<br>Field, Area, or Regional Wage and Hour Office | Division of Higher Education<br>Office for Civil Rights<br>Department of HEW<br>Washington, D.C. 20201<br>or<br>Regional HEW Office | Division of Higher Education<br>Office for Civil Rights<br>Department of HEW<br>Washington, D.C. 20201<br>or<br>Regional HEW Office |

BEST COPY AVAILABLE

SEE REVERSE SIDE FOR FOOTNOTES.

association of
american colleges

# Footnotes

BEST COPY AVAILABLE

### General

1. State employment and/or human relations laws may also apply to educational institutions. The Equal Rights Amendment to the U.S. Constitution, passed by the Congress and now in the process of ratification would, when ratified, forbid discrimination in publicly supported schools at all levels, including students and faculty.

2. Unless otherwise specified, "institution" includes public and private colleges and universities, elementary and secondary schools, and preschools.

3. A bona fide seniority or merit system is permitted under all legislation, provided the system is not discriminatory on the basis of sex or any other prohibited ground.

4. There are no restrictions against making a complaint under more than one anti-discrimination law at the same time.

5. This time limit refers to the time between an alleged discriminatory act and when a complaint is made. In general, however, the time limit is interpreted liberally when a continuing practice of discrimination is being challenged, rather than a single, isolated discriminatory act.

6. Back pay cannot be awarded prior to the effective date of the legislation.

### Executive Order 11246 as amended by 11375

7. The definition of "contract" is very broad and is interpreted to cover all government contracts (even if nominally entitled "grants") which involve a benefit to the federal government.

8. As of January 19, 1973, all covered educational institutions, both public and private, must have *written* affirmative action plans.

### Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act

9. In certain states that have fair employment laws with prohibitions similar to those of Title VII, EEOC automatically defers investigation of charges to the state agency for 60 days. (At the end of this period, EEOC will handle the charges unless the state is actively pursuing the case. About 85 per cent of deferred cases return to FEOC for processing after deferral.)

10. Due to an ambiguity in the law as it relates to public institutions, it is not yet clear whether EEOC *or* the Attorney General will file suit in all situations which involve public institutions.

### Equal Pay Act of 1963 as amended by the Education Amendments of 1972 (Higher Education Act)

11. Over 95 per cent of all Equal Pay Act investigations are resolved through voluntary compliance.

12. Unless court action is necessary, the name of the parties need not be revealed. The identity of a complainant or a person furnishing information is never revealed without that person's knowledge and consent.

### Title IX of the Education Amendments of 1972 (Higher Education Act)

(Minority women are also protected from discrimination on the basis of their race or color by Title VI of the Civil Rights Act of 1964.)

13. Final regulations and guidelines for Title IX of the Education Amendments of 1972 have not yet been published. This chart includes information which is explicitly stated in the law, as well as how the law is likely to be interpreted in light of other precedents and developments.

14. The sex discrimination provision of Title IX is patterned after Title VI of the Civil Rights Act of 1964, which forbids discrimination on the basis of race, color and national origin in all federally assisted programs. By specific exemption, the prohibitions of Title VI do not cover employment practices (except where the primary objective of the federal aid is to provide employment). However, there is no similar exemption for employment in Title IX.

15. Title IX states that: "No person . . . shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance. . . ."

16. The following are exempted from the *admissions* provision:

Private undergraduate institutions.

Elementary and secondary schools other than vocational schools.

Single-sex public undergraduate institutions. (If public single-sex undergraduate institutions decide to admit both sexes, they will have 7 years to admit female and male students on a nondiscriminatory basis, provided their plans are approved by the Commissioner of Education.)

Note 1. *These exemptions apply to admissions only.* Such institutions are still subject to all other anti-discrimination provisions of the Act.

Note 2. Single-sex professional, graduate and vocational schools at all levels have until July, 1979, to achieve nondiscriminatory admissions, provided their plans are approved by the Commissioner of Education.

17. Under Title VI of the 1964 Civil Rights Act, which Title IX of the Education Amendments closely parallels, federal agencies which extend aid to educational institutions have delegated their enforcement powers to HEW. A similar delegation of enforcement power is expected under Title IX.

### Title VII & Title VIII of the Public Health Service Act as amended by the Comprehensive Health Manpower Act & the Nurse Training Amendments Act of 1971

18. Final regulations and guidelines for Title VII and VIII of the Public Health Service Act have not yet been published. This chart includes information which is explicitly stated in the law, as well as how the law is likely to be interpreted in light of other precedents and developments.

19. Schools of medicine, osteopathy, dentistry, veterinary medicine, optometry, pharmacy, podiatry, public health, allied public health personnel and nursing are specifically mentioned in Titles VII and VIII. Regulations issued June 1, 1972, by the Secretary of HEW specify that *all* entities applying for awards under Titles VII or VIII are subject to the nondiscrimination requirements of the act.

20. HEW regulations state: "Nondiscrimination in admission to a training program includes nondiscrimination in all practices relating to applicants to and students in the program; nondiscrimination in the enjoyment of every right, privilege and opportunity secured by admission to the program; and nondiscrimination in all employment practices relating to employees working directly with applicants to or students in the program."

*This document may be reproduced without permission, provided that credit is given to the "Project on the Status & Education of Women, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009."*

BEST COPY AVAILABLE

## FEDERAL LAW AND REGULATION CONCERNING RACE DISCRIMINATION IN EDUCATIONAL INSTITUTIONS

| | |
|---|---|
| **Title** | Title VI (Civil Rights Law of 1964) Public Law 88-352, July 2, 1964 |
| **Effective Date** | July 2, 1964 |
| **Which institutions are covered?** | Any program or activity receiving federal financial assistance. |
| **What is prohibited?** | Discrimination against any beneficiary, students or others, because of race, color or national origin. |
| **Exemptions from coverage** | Does not apply to any federal financial assistance by way of insurance or guaranty contracts, money paid, property transferred, or other assistance extended under any such program before effective date of regulation, assistance to individual who is ultimate beneficiary under any such program, or employment practice under any such program of any employer, employment agency, or labor organization. Although this part does not apply to employment, generally, this part does prohibit any program from denying service, financial aid, or benefit, admissions, enrollment, employment in the program, or participation in planning or advising to any person on the basis of race, color or national origin. |
| **Who enforces the provisions?** | Federal departments and agencies which are empowered to extend financial aid to educational programs and activities. HEW's Office for Civil Rights (Division of Higher Education) is primary agency for education. |
| **How is a complaint made?** | A letter to the Secretary of HEW and Office for Civil Rights outlining the complaint. |
| **Can complaints of a pattern of discrimination be made as well as individual complaints?** | Yes |
| **Who can make a complaint?** | Individuals and/or organizations on own behalf or on behalf of aggrieved party. |
| **Time limit for filing complaints?** | One-hundred eighty days from date of alleged discrimination unless extended by a responsible department official. |
| **Can investigations be made without complaints?** | Yes. Government can conduct periodic reviews without a reported violation, as well as in response to complaints. |
| **Can the entire institution be reviewed?** | Yes. HEW may investigate those parts of an institution which receive federal assistance (as well as other parts of the institution related to the program, whether or not they received direct federal assistance). If the institution receives general institutional aid, the entire institution may be reviewed. |
| **Record keeping requirements and government access to records** | Institution must keep and preserve specified records relevant to the determination of whether violations have occurred. Government is empowered to review all relevant records. |
| **Enforcement power and sanctions** | Government may delay new awards, revoke current awards, and debar institution from eligibility for future awards. Department of Justice may also bring suit at HEW's request. |
| **Can back pay be awarded?** | Probably, to the extent that employees are covered. |
| **Affirmative action requirements (There are no restrictions against action which is non-preferential)** | Affirmative action may be required after discrimination is found. |
| **Coverage of labor organizations** | Employees in programs are covered. |
| **Is harrassment prohibited?** | Institutions will be prohibited from discharging or discriminating against any participant or potential participant because he/she has made a complaint, assisted with an investigation or instituted proceedings. |
| **Notification of complaints** | Procedure unclear. Recipient of funds would be notified if in non-compliance. |
| **Confidentiality of names** | Identity of complainant is kept confidential if possible. If court action becomes necessary, the identity of the parties involved becomes a matter of public record. The aggrieved party and respondent are not bound by the confidentiality requirement. |
| **For further information, contact** | Division of Higher Education<br>Office for Civil Rights<br>Department of HEW<br>Washington, D.C. 20201<br>or Regional HEW Office |

Prepared by: The Equal Educational Opportunity Task Force
Pa. Department of Education

# EXHIBIT II

BEST COPY AVAILABLE

## PENNSYLVANIA LAWS AND REGULATIONS CONCERNING DISCRIMINATION AND EDUCATIONAL INSTITUTIONS

March 1973

| | PHRAct of Oct. 1955, P.L. 744, as amended (amended 20 times from March 1956 through June 1972) | Pa. Fair Educational Opportunity Act of July 1961, P.L. 776, Amended by Act no. 499 December 27, 1965 and Amended by Act 360 (House Bill No. 1000) |
|---|---|---|
| Effective Date | October 27, 1955 | February 27, 1973 |
| Which institutions are covered: | Any place of public accommodation which is defined as including but not limited to kindergartens, primary and secondary schools, high schools, academies, colleges and universities, extension courses, and all educational institutions under the supervision of the Commonwealth. | Any institution of post-secondary grade and any secretarial business, vocational or trade school of secondary or post-secondary grade, which is subject to the visitation, examination or inspection of, or is, or may be licensed by the Department of Public Instruction, including any post-secondary school, college or university incorporated or chartered under any law or special act of the General Assembly, except any religious or denominational educational institution as defined in the act. |
| What is prohibited? | Discrimination because of race, color, religion, ancestry, age (40-62), sex, or national origin in any phase of the employment of professional and non-professional staffs of educational institutions, including hiring, advertisement, tenure, terms and conditions of employment, compensation, discharge.<br>Discrimination in obtaining all the accommodations, advantages, facilities, and privileges of any place of public accommodation and of commercial housing because of race, color, religious creed, ancestry, age, sex or national origin. (Section 3 Right to Freedom from Discrimination in Employment, Housing and Places of Public Accommodation) | Discrimination in the admission, treatment of and delivery of facilities and services to students because of race, religion, color, ancestry, national origin or sex. (Consult exemptions from coverage.) |
| Exemptions from coverage | Religious, fraternal, charitable or sectarian corporations or associations; except such corporations or associations supported, in whole or in part, by governmental appropriations.<br>Fraternal organizations and religious groups may give preference to employees of their own religion or fraternity if they are not publically supported by governmental appropriation. (The public accommodation clause is interpreted by PHRC as applying to all public accommodation.) | Admission of students: Religious or denominational educational institutions, may give preference to students of their own religion. The EEO Act as amended for discrimination on the basis of sex on February 28, 1973 applies the admission provisions only to state-owned, state-related or state-aided institutions of post-secondary education, therefore, other institutions are exempt from the sex discrimination admissions provisions of the Act. |
| Who enforces the provisions? | Pennsylvania Human Relations Commission | Pennsylvania Human Relations Commission |
| How is a complaint made? | Any aggrieved person or their representative may file a complaint with the Commission by a sworn complaint form at a regional office of the PHRC; the Commission or the Attorney General also may initiate a complaint. | (same as PHRAct) |
| Can complaints of a pattern of discrimination be made as individual complaints? | Yes | Yes |
| Who can make a complaint? | Any one representing an aggrieved person. Any aggrieved person, the PHRC, or Attorney General of Pennsylvania. | Any aggrieved person, anyone representing an aggrieved person, the PHRC, or the Attorney General of Pennsylvania. |
| Time limit for filing complaints? | 90 days | 6 months |

BEST COPY AVAILABLE

| | PHRAct of Oct. 1955 cont. | Pa. Fair Educational Opportunity Act, cont. |
|---|---|---|
| Can investigations be made without complaints? | Yes, under Section 7 (f.1) in instances of possible racial tension. | No, but studies are specifically authorized and can be made without a reported violation. |
| Can the entire institution be reviewed? | Yes. PHRC may investigate part or all of an institution. | Yes. |
| Record keeping requirements and government access to records | All records relative to the pre-employment process and other employment records must be retained for 120 days. Specified records must be retained until the Commission states they may be disposed of. | Institutions must keep and preserve specified records relevant to the determination of whether violations have occurred. Records, documents, and data pertaining to the admission, rejection, expulsion, or supervision of students must be saved for 3 years and made available to the Commission at times for inspection. |
| Enforcement power and sanctions | Commission may issue "cease and desist" orders enforceable in Commonwealth Court. Conciliation Agreements and Consent Orders are also enforceable in Commonwealth Court. | Same as PHRAct |
| Can back pay be awarded? | Yes, retroactive to the effective date of the Act, 10/27/55, and 7/9/69 for sex complaints. | Not applicable. |
| Affirmative Action requirements | Affirmative Action may be required under Section 7 (e) of the Act and/or included in Orders issued by the PHRC, Conciliation Agreements, and Consent Orders. | Affirmative Action may be required under Section 6 (4) a, (5) of the FEOAct, and/or included in Orders issued by PHRC, Conciliation Agreements, and Consent Orders. |
| Coverage of labor organizations | Labor organizations are subject to the same requirements and sanctions as employers. | None |
| Is harrassment prohibited? | Yes | Yes. It is an unfair practice "to penalize or discriminate against any individual because he has initiated, testified, participated or assisted in any proceedings under this act." |
| Notification of complaints | Respondents are notified of complaints and identity of complainants at the time the investigations are initiated. | Same as PHRAct |
| Confidentiality of names | Copy of complaint, including name of complainant, is given to respondent. Investigation findings are kept confidential unless a public hearing is held.** The aggrieved party and respondent are not bound by any confidentiality requirement. | Same as PHRAct |
| For further information contact: | Pennsylvania Human Relations Commission<br>100 N. Cameron Street, Harrisburg, Pa. 17101<br>Telephone - 717-787-4410 | Pennsylvania Human Relations Commission<br>100 N. Cameron Street, Harrisburg, Pa. 17101<br>Telephone - 717-787-4410 |
| FOOTNOTES: | * Sex amendment added July 9, 1969<br>** Details of conciliation efforts may never be made public. | * Sex provision of the Act become effective 2/28/73.<br>** Sex provisions of the Act apply fully to educational institutions which are state-owned, state-related or state-aided and in all respects except admission to other educational institutions of higher learning. |

Prepared by the Equal Educational Opportunity Task Force with the cooperation of the Pennsylvania Human Relations Commission.

BEST COPY AVAILABLE

EXHIBIT III

EXECUTIVE DIRECTIVE NO. 1

June 2, 1971

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

BEST COPY AVAILABLE

Subject: Commitment Toward Equal Rights

To: Heads of All Administrative Departments,
Independent Administrative Boards and Commissions,
and Other State Agencies Under the Governor's Jurisdiction

From: Milton J. Shapp
Governor

I am publicly committing myself and my Administration to provide leadership in the efforts to attain equal rights for all persons in the Commonwealth.

A major effort will be exerted to end discrimination against women and members of all minority groups and to develop affirmative action programs to involve them at every level of employment and decision making in this Administration.

I strongly emphasize that this commitment does not mean that departments and agencies may be content with hiring women and members of minority groups in jobs that require menial skills or with hiring women as secretarial help. Qualified persons shall be sought for jobs on every level of our government, including those in decision making and policy making areas.

I shall expect periodic reports from you on your progress in implementing this directive.

It is my sincere wish that every department and agency of the Commonwealth actively participate toward fulfillment of this commitment.

EXECUTIVE DIRECTIVE NO. 21

EXHIBIT IV

September 27, 1971

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

BEST COPY AVAILABLE

Subject: Implementation of the Commitment Toward Equal Rights

To: Heads of All Administrative Departments, Independent Administrative Boards and Commissions and Other State Agencies Under the Governor's Jurisdiction

From: Milton J. Shapp
Governor

Executive Directive 13 dated June 2, 1971, set forth in general terms the commitment of this Administration to provide leadership in the efforts to attain equal rights for all persons in the Commonwealth. It was stated in Executive Directive 13 that "A major effort will be exerted to end discrimination against members of all minority groups and women and to develop affirmative action programs to involve them at every level of employment and decision-making in this Administration."

Following the issuance of Executive Directive 13, further discussions have led to the following plans to insure that our effort will result in concrete progress this year toward greater involvement of minorities and women, particularly in professional, administrative and technical positions. We must also take action to enforce the equal employment opportunity provisions in State contracts, make certain all our program services reach people in need, insure that recipients of State grants do not discriminate, insure that disadvantaged persons have equal opportunity to become licensed by the State, and be certain that licensees of the State provide services on a non-discriminatory basis.

Therefore, I am directing that you take the following actions:

1. Establish specific numerical goals and target dates with regard to increases in the employment of minorities and women in your departmental work forces. These staffing goals should be submitted to my office for approval. Attachment 1 to this Directive provides guidance with regard to the factors which should be taken into account in setting the goals and target dates.

2. Develop detailed action plans which will insure timely achievement of the staffing goals. This plan will be submitted to my office for approval. The Office of Administration will provide information and assistance regarding the type of action needed to achieve the goals.

3. Undertake a review of program services, licensing policies, and contract compliance to determine what new organizational arrangements, policies and operational plans are needed to combat intentional or unintentional discriminatory practices. We must ask the question, "Are any of our present regulations or procedures causing us to fail to serve all segments of the public properly?"

4. Take action to designate a responsible policy-making official of Deputy Secretary rank who will be responsible for the implementation of the staffing goals and action plans.

5. Appoint an advisory committee on affirmative action composed of agency program directors, bureau chiefs, administrative supervisors, persons from the minority client population of the agency and from the minority community generally. We expect there will be women on each committee.

6. If not already established, create and fill in all major agencies, a position of affirmative action officer. This position should be in the office of the aforementioned designated responsible policy-making official and will have the responsibility for providing staff services to the advisory committee and coordination of agency program to implement the employment and other affirmative action programs. Additional positions to provide staff support in the affirmative action office and the agency personnel office may be authorized as needed.

7. I am establishing a Cabinet level task force out of my office to review the progress being made to implement this Directive.

Please send the names of the designated responsible officials, the affirmative action committee members and your agency affirmative action officer to me by October 15. The staffing goals and action plans should be in my office by December 1, 1971. Further instructions will be issued shortly regarding the areas of contract compliance, licensing policies, and program services.

If you have questions or require assistance regarding any of the above provisions, please contact Ronald G. Lench, Secretary of Administration, or Terry Dellmuth, Special Assistant for Human Services.

## Attachment 1 - Setting Goals and Target Dates

These guidelines outline the steps that agencies are to follow in formulating numerical goals and target dates with regard to the accomplishment of increases in numbers of women and minority groups in the agency work force.

### A. Required Action

Each agency should review its internal staff composition in terms of existing minority employment and identify areas where minority groups as reflected in the work force of the locality and clientele served are underrepresented within the various organizational units and major job categories. Each major component of the central office headquarters staff and field installations should make these comparisons and, keeping these relationships in mind, set annual goals to be reached by July 1, 1972, and July 1, 1973, to remedy current deficiencies in the level of minority and female representation. By December 1, 1971, agencies are to coordinate and consolidate the reports for field offices and headquarters components and submit an overall agency minority staffing plan covering the last two quarters of this fiscal year and the next fiscal year, 1972-73.

Field units should prepare individual plans for increasing minority and female representation on their staffs and forward them through channels to the state central offices. Where it is not practical to prepare a plan for a small field unit, plans should be prepared by the next higher organization unit. The personnel officer and the affirmative action officer, with the advice of the affirmative action committee, should develop an overall plan for the agency as a whole and submit it to the designated responsible official of the department.

The first step in developing the goals of minority staffing should be to obtain estimates of the number of positions to be filled during the period under consideration. This estimate will consist of anticipated new positions plus vacancies expected to arise due to resignations, retirement, etc.

The goals for staffing should be set by balancing the number of additional women and minority staff needed against the number of vacancies and new positions to be filled and the probable availability of women and minority persons through all recruitment channels and sources. Separate goals should be established for the various levels of work within your

organization. These levels may be expressed in terms of individual classes of positions where appropriate or in terms of broad job categories where the number of individual position classes in large. For example, an agency might establish goals for minority staffing for each of the following job categories: executive-managerial, professional-technical, pre-professional, clerical, custodial service. If broad job categories such as these are used, it will be necessary to allocate each of the individual position classes in the agency to one of the job categories.

Agencies should set interim target dates at appropriate intervals. These dates could be either on a monthly, bi-monthly, or quarterly basis.

EXHIBIT V

# EXECUTIVE DIRECTIVE NO. 50

October 11, 1972

COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

Subject: Creation of Governor's Affirmative Action Council

To: Heads of All Administrative Departments, Independent Administrative Boards and Commissions, and Other State Agencies Under the Governor's Jurisdiction

From: Milton J. Shapp
Governor

I hereby create the Governor's Affirmative Action Council to continue the development of programs and policies that will insure Equal Rights for all individuals employed by or receiving services from the Commonwealth of Pennsylvania. The Governor's Equal Rights Task Force, which was established by Executive Directive No. 21 on September 27, 1971, was mandated to specifically identify those aspects of state government which prevented equal opportunities for minorities and women. The Task Force has concluded this identification process and, having served its purpose, is herewith disbanded.

The Task Force's work makes it clear that the goal of providing equal opportunities for minorities and women in State Government is an urgent one, and one that requires immediate action. My office fully supports this goal.

For that reason I am naming Lieutenant Governor Ernest P. Kline as the Chairman of the Affirmative Action Council. Other members will include Mrs. C. DeLores Tucker, Secretary of the Commonwealth; Mr. Ronald G. Lench, Secretary of Administration; Mr. Homer G. Floyd, Executive Director of the Human Relations Commission; Mr. Bolivar Rivera, Executive Director of the Governor's Council on Opportunity for the Spanish-Speaking; Mrs. Arline Lotman, Executive Director of the Commission on the Status of Women; Mr. Calvin C. Edmonds, Representative of the Affirmative Action Officers; Ms. Pat Quann and Mr. Terry Dellmuth, Special Assistants to the Governor.

The goals of this Council will be to:

(1) Increase the opportunity for employment for minority persons and women workers in all State agencies, at all levels of employment.

(2) To correct the most serious imbalance caused by discriminatory practices to minorities and women in all job categories with special emphasis on executive posts. Under this program, it is expected that by December, 1974, the number of minority and female employees of the Commonwealth's labor force in the $11,000 and above pay range at least will have doubled.

(3) To insure that all recipients of state grants and professional licenses do not discriminate; and to insure that these grants and licenses are distributed in a non-discriminatory manner.

So that review of agencies affirmative action plans can be integrated with the Bureau's ongoing personnel responsibilities, I am transferring the Task Force Plans Review and Training Units to the Bureau of Personnel, Office of Administration. The Council will oversee this program to evaluate progress in implementing our goals. The Affirmative Action Council will give final approval of all plans. The Bureau of Personnel will take appropriate actions to insure that this program is carried out.

In addition, I have asked the Bureau of Personnel to evaluate and recommend appropriate classifications for each of the Affirmative Action officer positions established under my Executive Directive No. 21.

The success or failure of this program will be determined by the commitment of Department Heads and the support they give to the Affirmative Action officers and the plans approved by the Council. I expect complete support from all Department and Agency Heads to make certain this program is successful.

I am directing that the Affirmative Action Council, when it finds an agency is not showing adequate progress, report this directly to my office, and take over direct supervision of the Affirmative Action Officer to guarantee compliance with this Directive. The Council will also institute appropriate Sanctions where required.

The review of state contracts to insure that recipients of these contracts do not discriminate and that contracts are also awarded in a non-discriminatory manner has been assigned to the Human Relations Commission. An Executive Directive covering contract compliance will shortly be released.

# EXHIBIT VI

Commonwealth of Pennsylvania
GOVERNOR'S OFFICE
MANAGEMENT DIRECTIVE

| SUBJECT | NUMBER |
|---|---|
| Availability of Personnel Data for Affirmative Action Officers | 410.1 |

| DATE | DISTRIBUTION | BY DIRECTION OF |
|---|---|---|
| December 4, 1972 | E | Ernest P. Kline, Lieutenant Governor<br>Chairman, Affirmative Action Council |

Ernest P. Kline

1. PURPOSE. The Affirmative Action Council has directed that all departments, commissions and boards under the Governor's jurisdiction make various personnel data available to Affirmative Action Officers.

2. OBJECTIVE. To bring about an equitable personnel system.

3. RESPONSIBILITIES. All organizational elements of departments, commissions and boards are responsible for maintaining open channels of information about personnel matters. Specifically, the following kinds of information will be made available on a routine basis to agency Affirmative Action Officers:

a. Agency work force information, e.g., complement, appointments, promotions, transfers, terminations and turnover by race, sex, salary and occupational groupings.

b. Existing and potential vacancies in the agency.

c. Information concerning test validation activities and class specification revision for occupations used by the agency.

d. Training opportunities available in the agency.

e. Budgetary or other decisions which affect employment in the agency.

EXHIBIT VII

Commonwealth of Pennsylvania
Department of Education

SCHOOL ADMINISTRATORS' MEMORANDUM **544**

Subject: Sexism in Education

September 5, 1972

To: Chief School Administrators
Intermediate Unit Executive Directors

From: John C. Pittenger
Secretary of Education

John C. Pittenger

In accordance with the intent of the Amendment to Article One of the Constitution of the Commonwealth of Pennsylvania which prohibits the denial or abridgement of rights because of sex, and in keeping with the policy of Governor Milton J. Shapp, as set forth in Executive Directive 13, which states, in part, "A major effort will be exerted to end discrimination against all minority groups and women...," I hereby commit the Department of Education to making the elimination of sexism in education a priority.

The policies which I have established and upon which the public schools in the Commonwealth will be evaluated are that:

1. Sex-segregated and sex-stereotyped classes, programs, activities, and courses of study be eliminated.

2. Feminist literature be included in school libraries and efforts be made to secure instructional materials, including textbooks, which favorably portray women in non-traditional roles.

3. All students be counseled to consider a variety of career opportunities, not only those traditionally entered by persons of their sex.

4. Job placement practices assure students of employment opportunities without restriction because of sex.

5. Annual goals be set for hiring, training and promoting women of all races at every level of employment.

6. The role of women becomes an integral part of the school curriculum.

I recommend you develop programs, if you have not already done so, such as the following to support these policies:

1. Sensitize all staff to sexism and to what are degrading and discriminatory practices.

2. Eliminate sex-stereotyped roles in all school publications.

3. Eliminate assignments by sex in all job classes and student positions.

4. Seek the establishment of child care/development programs for children of staff, faculty and students, with costs according to ability to pay. These programs can be used for training the students in child care and family relationships.

5. Provide before and after school programs especially for children whose parents work.

6. Provide a sex education course in human growth and development which includes emotional and physical growth and interpersonal relationships.

I have directed the staff of the Department of Education to consider the elimination of sexism an important part of their responsibilities. They will provide you with technical assistance and advisory services.

All such programs hinge on a satisfactory evaluation system. Therefore, I assure you that the Department will fulfill its evaluation responsibilities in accord with procedures which will be clearly stated.

I seek your cooperation in meeting our joint responsibility to eliminate discriminatory practices in the schools of the Commonwealth.

GA-5-1 412-67

# EXHIBIT VIII

COMMONWEALTH OF PENNSYLVANIA

August 30, 1972

SUBJECT: Sexism in Education

TO: University and College Presidents and Deans
State-owned and State-related

FROM: John C. Pittenger
Secretary of Education

John C. Pittenger

I have committed the Department of Education to making the elimination of sexism in education a priority. This is in accordance with the amendment to Article I of the Constitution of the Commonwealth and in keeping with the policy of Governor Milton J. Shapp, as set forth in Executive Directive 13, which states, "A major effort will be exerted to end discrimination against all minority groups and women..."

In order to meet this commitment, I hereby request that you make plans immediately to carry out the policies embodied in the Constitutional Amendment and in Executive Directive 13 as follows:

1. Eliminate sex-segregated classes, programs, activities and courses of study.

2. Eliminate special rules for women or men (housing, hours, athletics, jobs, etc.)

3. Establish the same admission qualifications for women and men except where these are shown to discriminate against women or men.

4. Library and course materials should include information on women, presentation of women role-models and feminist perspectives of history, psychology, sociology, politics, economics and law.

5. Annual goals be set for hiring, training and promoting women of all races and all ages at every level of employment.

6. Develop women's studies as an integral part of the curriculum.

I recommend that you develop programs such as the following to implement these policies:

1. Child Care/Development Programs for children of staff, faculty and students, with costs according to ability to pay.

2. Staff and faculty should reflect the same balance by sex and race in each job class at all employment levels (including administration) as the Commonwealth's general labor force.

It is our joint responsibility to provide equal opportunity for women. I seek your cooperation and offer the full assistance of the staff of the Department of Education. To this end would you please take special notice of the last appendix of the report of the Joint Task Force on Sexism in Education which deals with program approval guidelines for intergroup education.

EXHIBIT IX

Commonwealth of Pennsylvania
Department of Education

HIGHER EDUCATION CIRCULAR 2

| | |
|---|---|
| DATE ISSUED | December 5, 1973 |
| NUMBER OF SHEETS | 2 |
| DATE EXPIRES | Indefinitely |

THIS MATERIAL MAY BE REPRODUCED

Subject: Equal Educational Opportunity

To: State College and University Presidents - 2
State-Aided College and University Presidents - 2
State-Related University Presidents - 2
Community College Presidents - 2
Pennsylvania Private College and University Presidents - 2
Pennsylvania Proprietary Institution Presidents or Directors - 2

From: Jerome M. Ziegler
Commissioner of Higher Education Jerome M. Ziegler

Equal educational opportunity in higher education requires the elimination of discriminatory treatment on the basis of race, color, sex, religion, ancestry or national origin, and age and involves affirmative steps to rectify the consequences of past discrimination. The goal must be freedom of opportunity and choice of life-style for all people.

Creating and maintaining equality of educational opportunity involves action in all segments of the academic community: trustees, president and administrative staff, faculty, support staff, students and alumni. Undergraduate and graduate recruitment and admission, hiring at all levels, remuneration, terms and conditions of employment, promotion or termination and allocation of facilities and resources, must be based on principles of equality, and affirmative action must be utilized as a tool to examine and improve those areas. Adequate and nonpartisan channels for grievance must be available to all members of the campus community when this access to equal opportunity is questioned or is, in fact, violated.

The Commonwealth of Pennsylvania was one of the first states to enact statutes to protect the rights of minorities and later to include women in that protection. Human rights are protected under the Pennsylvania Human Relations Act of 1955 (P.L. 774) as amended, the Pennsylvania Fair Educational Opportunity Act of July 1961 (P.L. 776) as amended, the Higher Education Equal Opportunity Act (P.L. 101), the Equal Pay Act of 1959, and by the Equal Rights Amendment to the Commonwealth's Constitution. Governor Milton Shapp has committed his administration to extend equal opportunity to minorities and women and has issued Directives 13 and 50 defining his intentions.

The Governor's Affirmative Action Council and the Pennsylvania Human Relations Commission are actively engaged in programs to achieve equal opportunity.

The federal government is actively involved and committed to equal opportunity and to enforcing laws which the Congress has enacted. These laws include Titles VI and VII of the Civil Rights Act of 1964 as amended,

Title IX of the Equal Amendments of 1972 (Higher Education Act), the Equal Pay Act of 1963 as amended by the Education Amendments of 1972 (Higher Education Act) Title VII (Section 799A) and Title VIII (Section 845) of the Public Health Service Act as amended by the Comprehensive Health Manpower Act and the Nurse Training Amendments Act of 1971, as well as Executive Order 11246 as amended by Executive Order 11375 issued by President Lyndon Johnson and affirmed by President Richard M. Nixon. Several agencies of the federal government are actively enforcing these laws and orders including: the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance of the Department of Labor, the Wage and Hour Division of the Department of Labor, Office of Civil Rights of the Department of Health, Education, and Welfare, Civil Rights Division of the Department of Justice, and the federal courts.

On recommendation of the Council of Higher Education, the State Board of Education on September 14, 1973 adopted the following resolution:

> WHEREAS, the Governor and General Assembly of the Commonwealth, and the President and Congress of the United States have enacted laws and issued directives affirming their intent to protect and grant equal opportunity to employes and students; and
>
> WHEREAS, the federal government and the Commonwealth of Pennsylvania have enacted and enforced laws regarding equality of employment; and
>
> WHEREAS, the federal government and the Commonwealth of Pennsylvania have enacted and enforced laws regarding equality of opportunity in education; and
>
> WHEREAS, the State Board of Education has affirmed from time to time in the Master Plan and by its actions its desire for equal education in the Commonwealth;
>
> NOW, THEREFORE, BE IT RESOLVED that: The State Board of Education endorses the principle of equal educational opportunity for all people regardless of race, color, sex, religion, ancestry, national origin, or age, and recognizes that it will be necessary for educational institutions to implement affirmative action plans to ensure equality for all employes and students in the state-owned colleges and universities, state-related universities, community colleges, the independent colleges and universities, and the proprietary schools.

All institutions of higher education should take action to comply with this important resolution of the State Board. I am asking you to report by June 1, 1974 to my office your progress in implementing the Board's resolution. Guidelines for this report will be forwarded to you shortly. To assist you in this matter, you may seek advice and additional

information from any one of the following named individuals:

Mr. Joseph Bruno
Coordinator for Community Colleges
Office of Higher Education
Box 911
Harrisburg, Pennsylvania 17126
Phone: (717) 787-1790

Mr. Bernard Edwards
Coordinator for State Colleges and Universities
Office of Higher Education
Box 911
Harrisburg, Pennsylvania 17126
Phone: (717) 787-1345

Dr. William Rhodes
Coordinator for Proprietary Schools
Office of Higher Education
Box 911
Harrisburg, Pennsylvania 17126
Phone: (717) 783-1292